Commissioners' Proceeding for January 22, 2007

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

## LEGISLATIVE ISSUES

Lobbyist Jim Potts held a speaker phone call with the Commissioners about current state legislative issues.

#### PLANNING AND BUILDING DEPARTMENT

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

#### Public Meeting:

Public Meeting opened at 9:21 a.m. Present: Commissioners Koch 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 1). The Planning Commission recommended a denial by unanimous vote.

Mr. MacPherson showed a copy of the zoning map with parcel overlay on the screen.

Mr. MacPherson answered the Board's and Mr. Bowen's questions about the ability of the City of Pasco to annex, particularly around the Overton Road area.

Mr. Bowen said the county areas that are surrounded by city create a problem for emergency response. Mr. Koch said they also create a problem for fire districts.

Mr. Bowen asked Mr. MacPherson to find out more information about annexations.

Ron Horn, John White and Dale Fitch of the Public Works Department and <a href="Tri-City Herald">Tri-City Herald</a> Reporter Joe Chapman joined the audience.

A 2000 aerial photograph with parcel overlay was shown on the screen.

Mr. MacPherson said several property owners that maintain some portion of the private access to the area had concerns with noise and traffic. Pictures of the existing conditions

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of the site were shown on the screen. Mr. MacPherson said many of the people who testified in favor of the CUP at the Planning Commission hearing testified it was a rodeo arena. He said rodeo arenas are not a permitted use in the residential area.

Mr. Koch asked three times if anyone in the audience would like to speak against this proposal. There was no response.

Mr. Koch asked three times if anyone would like to speak for this proposal. There was no response.

Motion – Mr. Miller: Mr. Chairman, I move that we accept the recommendation of denial for the property located north of Pasco, south of Clark, east of Road 44, south of Ivy Road, and site address 5100 Ivy Lane, Parcel #114-232-027. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2007-030.

# PLANNING AND BUILDING DEPARTMENT and PUBLIC WORKS DEPARTMENT

Joint Department Update: Watering on the Roadway

Engineer Tim Fife, Planning Director Jerrod MacPherson, Road Superintendent Ron Horn, Connell Superintendent John White, and Pasco Superintendent Gary Fitch met with the Board. Also present: Assistant Planning Director Greg Wendt and <u>Tri-City</u>

<u>Herald</u> Reporter Joe Chapman. Code Enforcement Officer Jerry Lingo was unable to attend due to illness.

Mr. MacPherson said the meeting was called to discuss how the county deals with watering on county road right-of-ways based on the current ordinance. Currently it's a joint process between the Public Works Department and the code enforcement officer based in the Planning and Building Department using the code compliance process.

Ron Horn described what typically occurs. He said the problems occur when landowners and/or sprinkler operators won't try to make a change so the water does not hit the roadway.

Mr. MacPherson said there are multiple issues including the safety factors of the water obscuring vision, causing hydroplaning, and other related safety problems, and also

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road maintenance costs. Mr. Horn gave an example of Dogwood Road where the substrate is so saturated that the road has heaved up and needs repair.

Mr. Fife said it is imperative that water is off the road when we're doing chip seal projects. He said the chip seal work only occurs on a road once every seven to nine years.

Mr. Koch asked how can we help?

Mr. MacPherson said the process currently uses the hearings examiner officer which we use for compliance. It is a good process but not the right type of process for this violation. The problem needs to be solved within 48 hours. Because sprinklers move before the hearing can be held, the hearing is futile. He said we have discussed possibilities of using a different process. One idea is to use a citation process that would involve one or two warnings being given, followed by posting on the property, and then a citation.

Mr. Horn said regarding chip seal work, notices are sent by mail a month or so before the project, then phone calls are made. Some people still won't turn their water off. Mr. Fife said there are chemicals in the irrigation water which affect the oil so it doesn't stick well. When that happens, then there are calls about rocks cracking windshields. The irrigation water affects the performance of the oil. The water also affects the performance of the subgrade.

Mr. MacPherson said from the Planning and Building standpoint, the last thing we want to do is be the bad guy and be the heavy hand. Mr. Fife said we want the water off the roadways. Mr. MacPherson said our first option is voluntary compliance. We contact the people and give them a chance to correct it. Mr. Koch said it sounds like you need to write it up and get it through the Prosecutor's Office and get something prepared with enough teeth in it. Mr. Fife said another issue is that a lot of property owners are absentee property owners. The lessee really doesn't give the effort that the landowner would. That situation occurs in some of the frequent problem areas. Mr. Koch said the ordinance would have to specify either the owner or operator.

Mr. Fitch said he'd like to go out individually and talk to landowners to try to present what the issues are. He said there are a couple other issues. When we put our

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chemicals down, the irrigation water washes the chemicals away and then there is more vegetation. The irrigation water has a big impact on the roadways, such as affecting the gravel roadways. He wants to make friends with landowners and not impact them as farmers. He gave an example of a situation of being hit by irrigation water from a circle sprinkler endgun when he was driving a four-wheel-drive vehicle while a motorcycle was coming the other way. The ordinance would need to have some teeth to prevent a liability issue. He hopes to be able to resolve situations so the code enforcement officer does not have to get involved.

Mr. MacPherson said we wanted to just discuss the matter and make the Board aware of the problems. Mr. Koch asked that those involved work together to prepare some kind of program for review by the Prosecutor's Office.

There was brief discussion about the need for some clarification between a sprinkler handline without a guard and a circle sprinkler endgun that malfunctions. Mr. Koch said there is also a changing weather factor for wind. Mr. Fife said we've always been real lenient if the wind is blowing.

Recessed at 9:52 a.m.

**Reconvened** at 10:00 a.m.

#### **PUBLIC WORKS**

Engineer Tim Fife met with the Board.

#### Federal Funding Workshop

Mr. Koch, Mr. Miller and Mr. Fife attended a Federal Funding workshop last week. There is a deadline of February 28 for funding requests. Mr. Fife said a lot of work needs to be done to figure out where the funding should come from for the R-170 landslide road work.

## Resolution: Transfer from County Road Fund to Paths and Trails Reserve

Mr. Fife said by law the county is required to spend 1/2 of 1% of County Road funds on paths and trails. He asked for approval of a resolution. Some of the money is dedicated to the boat launch area.

Commissioners' Proceeding for January 22, 2007

Motion – Mr. Miller: I move that we transfer funds from the County Road Fund to Paths and Trails Reserve Fund in accordance with RCW 47.30.050. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2007-031.

Mr. Fife answered Mr. Miller's questions about the Paths and Trails Reserve fund.

#### **OFFICE BUSINESS**

Secretary Patricia Shults met with the Board.

## Consent Agenda

Motion - Mr. Miller: I move for approval of the consent agenda as follows:

1. Approval of *Out-of-State Travel Request* for Tim Waters to attend an annual Entomological Society meeting March 25-28, 2007 in Portland, Oregon, for an estimated cost of \$580. (Exhibit 2)

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

#### Vouchers/Warrants

Motion – Mr. Miller: I move that we approve the 2006 vouchers as listed minus warrant 55019 for \$12.45:

Law Library warrants 1013 and 1014 for \$5465.60; Auditor O&M warrant 401 for \$10,417.64; Current Expense warrants 54983 through 55033 for \$163,430.31; Current Expense warrants 54945 through 54982 for \$12,328.73; FC Capital Projects Fund warrant 185 for \$708.89; Courthouse Renovation Fund warrant 503 for \$1069.34; Boating Safety warrant 394 for \$483.23; Crime Victims warrants 366 and 367 for \$2452.39; Courthouse Renovation Fund warrants 490 through 502 for \$37,217.30; and DOC Building Inspection warrants 19 through 21 for \$1141.84; for a total amount of \$234,715.27. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 3)

Motion – Mr. Miller: I make a motion to approve 2007 vouchers as listed: Current Expense warrants 55118 through 55134 for \$8347.50; Current Expense warrants 55066 through 55117 for \$63,277.32; Current Expense warrants 55034 through 55065 for \$71,762.57; Treasurer O&M warrant 179 for \$282.71; Grand Old 4<sup>th</sup> warrants 135 and 136 for \$1282.89; and Crime Victims warrant 368 for \$153.78; for a total amount of \$145,106.77. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 4)

Commissioners' Proceeding for January 22, 2007

## INFORMATION SERVICES (IS)

IS Director Kevin Scott met with the Board.

## Network redesign

Mr. Scott told the Board about some of the costs that would be associated with county employees using Blackberry-type PDAs. Among the factors to consider is the initial cost of the units, whether the county would pay for them, and the cost and need to set up a specific server. He can obtain some more detailed cost information. He estimates the costs to be \$3000 to \$5000 for the hardware, \$2000 for a server, \$200 to \$450 each for each handheld device depending on the model. The monthly expense for a Blackberry is estimated on average at about \$40. Probably only management would need them. Mr. Koch said the county wouldn't buy the Blackberry's. Mr. Scott said the ongoing monthly fee will be approximately \$80 to \$90, involving both a cell phone package and a data package. A monthly bill would be involved.

Mr. Scott said he has a list of 14 policies that he wants to write that would include the PDA and Palm Pilot types of equipment.

After discussion, a rough estimate was determined of a \$15,000 cost to start and ongoing monthly costs of about \$2000. Mr. Koch talked about the cost to use wireless in hotels and airports. Mr. Bowen said the county may be further ahead to allow employees to take a laptop computer to a conference than to implement the Blackberry system.

Mr. Scott described another option: Perhaps two Blackberry units could be purchased and checked out to a county employee to use while away from the county on county business.

#### County Email server

Some network redesign needs to be done before a county email server can be implemented. Mr. Scott is hoping to have it done by the end of the first quarter of 2007. Then employees can connect with the county's email server from out-of-town. A policy needs to be written.

## <u>Upgrade</u>

Commissioners' Proceeding for January 22, 2007

A complete law enforcement system upgrade will be taking place. It will affect Dispatch, Jail Management people, Sheriff's Records Management, every laptop in sheriff's cars, and all other law enforcement computers. Mr. Koch asked what is generating this upgrade? Mr. Scott said, "Features that people have been wanting." It's part of the Bi-County Police Information Network (Bi-PIN) process. We pay maintenance contracts so the software is free but to implement it costs \$93,000 out of Dispatch funds. Mr. Koch asked if this is a budgeted upgrade that we were aware of. Mr. Scott said yes, assuming other people have done their job with the budget information. Dispatch has a budget for it in the state contract.

Mr. Bowen said the county commissioners have asked you to do a 25% computer replacement program plus ongoing maintenance upgrades to try to get computers on line. Now you're telling me that you have this major upgrade that you have to do with Dispatch. How is that going to work? Can your office handle that? I'm expecting that you get it done because the Commissioners have asked you to have it done. If it's not done, then my question is did you not do your job or are you overloaded? Mr. Bowen said he is not begging for IS to have a new person but his expectations are that IS get this far down the road by the end of the year.

Mr. Scott said it will not have a physical impact on IS. Are we buried? Yes. We are still working on the last portion of last year's 14 computers. There will be vendor support on site to do the vast majority of the work. Mr. Bowen said he does see it as a physical impact on Current Expense because our IS Department now is focusing on E911. He asked if there is reimbursement that will come back. Mr. Scott can't answer exactly what impact because Intergraph, the vendor, is coming on site and will be doing a lot of the work. There will be vendor support to do the vast majority of the work. His office will need to do scheduling. We already know the servers in Dispatch can't handle this but that is part of the project.

#### Web Servers

Mr. Scott said he has resisted setting up a county web server because it changes the nature of the support and opens up some other problems. Now we are going from no

Commissioners' Proceeding for January 22, 2007

web servers to almost three of them immediately. His list shows web servers are expected for Coroner, GIS and County Clerk. The web server allows us to put county data out on the web to almost everyone. He gave some examples of information.

Mr. Scott is concerned about the state-wide coroner beta test base. The state has provided the physical server and sent it to us. They've given us a server but may not continue to support it. Now he is hearing rumblings that this server would be the regional server for several counties. Now my staff will be expected to support the server. We'll make the state pay us but that still changes the nature of the IS department and the support we'll require. After-hours work is often required.

Mr. Bowen asked why does Franklin County have to be the test site? Mr. Scott responded. Mr. Koch said he has heard about the Coroner server but not a regional server. Mr. Scott said one question is are they going to expect us to respond 24/7? Mr. Bowen said just because the coroner went down this road, why should the county have to be responsible? Mr. Koch said we need to get more information from the coroner and the state side. Mr. Scott said he does not think the coroner planned on this being a regional server.

Mr. Koch asked who is generating the servers for GIS and the County Clerk?

Mr. Scott said the GIS server is generated by FRIS, the multi-agency group that includes Public Works, South Columbia Basin Irrigation District (SCBID), Franklin Public Utility District (PUD) and the county. He said County Clerk Mike Killian wants to have a web server. He said Mr. Killian would like to put a lot of his documents on the web server so people do not have to come to the office to get them. It would be a secured, passworded system. There is money in the budget for the hardware. The Court Improvement Fund may pay for some of it.

Mr. Scott said the FRIS server would be used only by FRIS. The server for the clerk could do dual duty, being used by other county departments.

#### Web Development Costs

Mr. Scott answered Mr. Miller's question about the county web site. He said the web site currently is not fully developed because of costs involved. The Planning

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Department web site was just updated to a new look and feel. The cost to develop additional areas of the web site is estimated at \$4000 to \$5000 per department based on a ballpark figure. Another problem is the time involved to meet with each department to prepare for the web sites. Mr. Bowen said it is a big undertaking to create a web site but it is also a big project to maintain it. Mr. Scott said we try to build self-maintenance into the web sites so each department can make changes to their own area.

## Other Update Information

Mr. Scott told the Board that there are many projects going on in his department. He needs to rewrite 15 policies. He hopes to revamp the entire building system.

#### New Hire

During discussion about the recent budget workshops, the Board was in support of a new position in the Information Services Department but it was not included in the budget. Mr. Koch said we need the position. Mr. Bowen increased the sales tax in the budget by \$50,000 due to new commercial growth in the county. He thought that would be dollars that would help support a new network manager position but is not enough to fully fund the position and benefits, estimated to cost about \$60,000. He does not see how the department can keep up. Mr. Scott said he has considered hiring a less-skilled person than a network manager. Mr. Bowen is not in favor of that proposal because he feels the network managers would then have to assist the other person.

## **COUNTY ADMINISTRATOR**

County Administrator Fred Bowen met with the Board.

## **Budget Review**

Mr. Bowen said the Board has discussed reviewing the budgets at a six-month time period. He said for the first year of this change, the Board may want to review the budgets quarterly instead of at six months.

Mr. Bowen has told Superior Court Administrator Pat Austin that she can pay the additional cost for the interpreter Rosie Arteaga from her budget at this time, keeping record for the six months to get reimbursement in July.

Mr. Koch said he still wants a six-month rather than a quarterly review.

Commissioners' Proceeding for January 22, 2007

Mr. Bowen said Current Expense is living on Rainy Day funds right now. The cash flow problem will clean itself up when taxes come in. Mr. Bowen emphasized that the Rainy Day fund is important to the county.

Mr. Bowen said County Clerk Mike Killian has worked with Chief Accountant
Tom Westerman regarding using Professional Services line item for extra help.
Mr. Killian can contract with an outside agency. The county will issue a 1099 tax form.

Benton-Franklin Human Services Indigent Defense Contract

Terry Tanner is interested in upgrading his existing contract. He is asking for \$3000 a month compensation and also tied to a COLA increase over the next few years. Mr. Bowen asked why Benton and Franklin Counties pay for indigent defense for Human Services when there is such a surplus of funds available in the Human Services budget. The work is representing people for involuntary incarceration but Human Services determines they need to be incarcerated. Benton County also feels that Human Services needs to pay for this work. Mr. Koch will find out what some other counties do.

#### Budget Review

Mr. Bowen will track requests for budget transfers from Contingency every week for the Board's review.

#### OTHER BUSINESS

Executive Session at 11:20 a.m. regarding personnel based on RCW 42.30.110(1)(g) expected to last 10 minutes.

Open Session at 11:33 a.m.

Adjourned at 11:33 a.m.

Commissioners' Proceeding for January 22, 2007

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until January 24, 2007.

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

Chairman

**ABSENT** 

Chairman Pro Tem

Ru sur

Member

Attest:

Clerk to the Board

Approved and signed February 7, 2007.

#### FRANKLIN COUNTY ACTION SUMMARY

Agenda Item: Abraham Torres	TYPE OF ACTION NEEDED	Consent Agenda
Meeting Date: January 22, 2007	Execute Contract	Public Hearing
Subject: CUP 2006-13, a conditional use permit to operate a horse training facility on approximately 20 acres in the Rural Residential 1 (RR-1) Zoning District		1st Discussion
	Pass Ordinance	2nd Discussion
Prepared By: Greg Wendt	Pass Motion X	Other: Public Meeting
Reviewed By: Jerrod MacPherson	Other	

## **BACKGROUND INFORMATION**

This is a Conditional Use Permit application to operate a horse training facility on approximately 20 acres in the Rural Residential 1 (RR-1) Zoning District. The facility is for non-commercial use and is proposed for family and friend use only.

The applicant has proposed a private access route to the property, would like to have outdoor lighting for the facility, the ability to have up to 15 horse trailers visit the site at one time, and allow for large gatherings during special times of the year.

This activity has been through the County Code Enforcement process after a complaint was received from a neighboring property owner regarding noise at the site.

The property is located north of Pasco, south of Clark Road, east of Road 44, south of Ivy Road, and south of address 5100 W Ivy Road (Parcel Number 114-232-027).

## **SUMMARY**

The Planning Commission held a public hearing on January 9, 2007 and recommended **DENIAL** (unanimous vote) with the following six (6) findings of fact.

#### **Findings of Fact:**

- 1. This project IS NOT in accordance with the goals and policies of the County Development Regulations (Zoning) and the County Comprehensive Plan.
  - a. The future land use designation of the property is Rural Residential;
  - b. The property is zoned Rural Residential;
  - c. Horse training facilities are permitted via an approved Conditional Use Permit;
  - d. Rodeo arenas are not a permitted use in the Zone.

## Action Summary CUP-2006-13 Page 2

- 2. The proposal WILL adversely affect public infrastructure.
  - a. The project, as proposed, will be accessed by vehicles and trailers using Ivy Road, which is a residential County Road;
  - b. Ivy Road is a County Road and the project will also be accessed via access easements.
- 3. The proposal WILL NOT BE constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.
  - a. The existing and intended character of the area is residential. The area is developed with 1 acre type residential lots;
  - b. An outdoor lighted horse training facility, with the ability to have up to 15 horse trailers visiting the site at one time, bleachers, and large gatherings is not consistent with the intended character of the area;
  - c. The facility as proposed, will not have direct frontage on a County oad. Access will occur via access easements. New developments in the growing 1-acre zone are encouraged at all times to have adequate and proper access to the project or development. The proposed operation has the potential to impact residents living along that portion of Ivy Road that is not a County road.
- 4. The location and height of proposed structures and site design WILL discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
  - a. Outdoor music and outdoor lighting near and around the project site is not compatible with the 1 acre residential zoning;
  - b. The land is approximately ½ mile from the Pasco Urban Growth Boundary and the City Limit line. This area in the City is designated for low-density residential housing.
- 5. The operation in connection with the proposal WILL 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 noise, traffic and dust associated with the activities onsite will be more objectionable than other permitted uses in the zoning district.
- 6. The proposal WILL endanger the public health, safety, or general welfare if located where proposed.

## **MOTION**

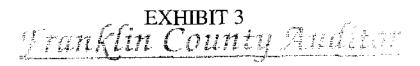
Deny Conditional Use Permit Application CUP-2006-13, subject to the six (6) findings of fact.

## EXHIBIT 2

## **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

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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

## 2006 Vouchers

January 22, 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, January 22, 2007

Move that the following warrants be approved for payment:

ELINID Expanditures	WARRANT Range		
FUND Expenditures			Amount Issued
	From:	To:	
Law Library	1013	1014	\$5,465.60
Auditor O&M	401	401	\$10,417.64
Current Expense	54983	55033	\$163,430.31
Current Expense	5 <b>4</b> 945	54982	\$12,328.73
FC Capital Projects Fund	185	185	\$708.89
Courthouse Renovation Fund	503	503	\$1,069.34
Boating Safety	394	394	\$483.23
Crime Victims	366	367	\$2,452.39
Courthouse Renovation Fund	490	502	\$37,217.30
DOC Building Inspection	19	21	\$1,141.84

\* PULLED 55019 \$12.45

In the amount of 234,715.27. The motion was seconded by

And passed by a vote of 2 to 0

Accounting 545-3505

Elections 545-3538

Recording 545-3536

Licensing 545-3533

1016 North 4th Avenue Pasco, WA 99301

2007 Vouchers

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

P.O. Box 1451 Pasco, WA 99301

January 22, 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.

Town Me

Action: As of this date, January 22, 2007

Move that the following warrants be approved for payment:

TELINID TO	WARRANT Range		
FUND Expenditures			<b>Amount Issued</b>
	From:	To:	
Current Expense	55118	55134	\$8,347.50
Current Expense	55066	55117	\$63,277.32
Current Expense	55034	55065	\$71,762.57
Treasurer O&M	179	179	\$282.71
Grand Old 4th	135	136	\$1,282.89
Crime Victims 300	367	367 368	\$153.78

In the amount of 145,106.77. The motion was seconded by

And passed by a vote of to

Accounting 545-3505

Elections 545-3538

Recording 545-3536

Licensing 545-3533