

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

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

**OFFICE BUSINESS**

Secretary Patricia Shults met with the Board.

Consent Agenda

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

1. Approval of **joint Resolution 2007-458** in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners (Chairman) on the County Program Contract amendment between the Juvenile Justice Center and the State of Washington, Department of Social and Health Services, Juvenile Rehabilitation Administration, Agreement #0663-98393-01, to provide for Selective Aggressive Probation (SAP) through the Juvenile Accountability Block Grant (JABG), effective September 1, 2007, through August 31, 2008. (Exhibit 1: Information sheet.)
2. Approval of **joint Resolution 2007-459** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the County Program Agreement, #0763-26165, between the Juvenile Justice Center and Department of Social & Health Services, effective October 1, 2007, through June 30, 2009. (Exhibit 2: Information sheet.)
3. Approval of **joint Resolution 2007-460** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Personal Services Contract between the Juvenile Justice Center and Ernie Chapin, effective September 1, 2007, through June 30, 2008. (Exhibit 3: Information sheet.)
4. Approval of **joint Resolution 2007-461** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Fee for Services Contract between the Benton-Franklin Juvenile Justice Center and Finley School District, effective September 1, 2007, through July 31, 2008. (Exhibit 4: Information sheet.)
5. Approval of **joint Resolution 2007-462** in the matter of authorizing the Benton and Franklin Counties Juvenile Justice Center to hire a full-time, benefited,

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

- bargaining unit staff member, position 1679, to fill the role of Juvenile Probation Counselor II – CASA/GAL Program. (Exhibit 5: Information sheet.)
6. Approval of **joint Resolution 2007-463** in the matter of authorizing the Benton and Franklin Counties Juvenile Justice Center to hire a full-time, benefited, bargaining unit staff member, position 1710, to fill the role of Juvenile Probation Counselor II – BECCA Program. (Exhibit 6: Information sheet.)
  7. Approval of **Resolution 2007-464** for creation of line item 511.70.10.0800 (Extra Help) in the 2007 Current Expense Election Budget, #001-000-090, and an intra budget transfer in the amount of \$5,000 within the 2007 Current Expense Election Budget, #001-000-090, from line item 511.70.10.0020 to line item 511.70.10.0800 (Extra Help).
  8. Approval of **joint Resolution 2007-465** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the application (Interagency Agreement) between the Juvenile Justice Center and Washington State Department of Community, Trade and Economic Development, Safe and Drug-Free Communities Unit, IAA #S08-66208-201. (Exhibit 7: Information sheet.)
  9. Approval of **joint Resolution 2007-466** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Fee for Services Contract between the Benton-Franklin Juvenile Justice Center and Richland School District, effective September 1, 2007, through July 31, 2008. (Exhibit 8: Information sheet.)
  10. Approval of **joint Resolution 2007-467** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Personal Services Contract Amendment between the Juvenile Justice Center and Somerset Counseling Center, amending Benton County Resolution 07-424 and Franklin County Resolution 2007-319, effective July 1, 2007, through June 30, 2008. (Exhibit 9: Information sheet.)
  11. Approval of **joint Resolution 2007-468** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (criminal defense), Juvenile Division, between the Juvenile Justice Center and Darin R. Campbell, thus amending Benton County Resolution 07-071 and Franklin County Resolution 2007-064, extending the termination date of the existing PSA from August 31, 2007, to September 30, 2007. (Exhibit 10: Information sheet.)

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

12. Approval of **joint Resolution 2007-469** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Darin R. Campbell, thus amending Benton County Resolution 05-557 and Franklin County Resolution 2005-342, extending the termination date of the existing PSA from August 31, 2007, to September 30, 2007. (Exhibit 11: Information sheet.)
13. Approval of **joint Resolution 2007-470** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Diana Anderson, thus amending Benton County Resolution 02-453 and Franklin County Resolution 2002-373, extending the termination date of the existing PSA from August 31, 2007, to September 30, 2007. (Exhibit 12: Information sheet.)
14. Approval of **joint Resolution 2007-471** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Donna Patricia Mannion, thus, amending Benton County Resolution 04-212 and Franklin County Resolution 2004-254A, extending the termination date of the existing PSA from August 31, 2007, to September 30, 2007. (Exhibit 13: Information sheet.)
15. Approval of **joint Resolution 2007-472** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Kathleen Moreno, thus amending Benton County Resolution 03-397 and Franklin County Resolution 2003-400, extending the termination date of the existing PSA from August 31, 2007, to September 30, 2007. (Exhibit 14: Information sheet.)
16. Approval of **joint Resolution 2007-473** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Jared D. Paulsen, thus amending Benton County Resolution 03-318 and Franklin County Resolution

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

- 2003-334, extending the termination date of the existing PSA from August 31, 2007, to September 30, 2007. (Exhibit 15: Information sheet.)
17. Approval of *Voluntary Transfer of Annual Leave Request* as per Resolution 2001-246 for Pamela F. Sexton (Clerk's Office) for a total of 40.5 hours as follows:
    - Dennis Huston (Public Works) to transfer 10 hours.
    - Laura Stark (Public Works) to transfer 7.5 hours.
    - Sara Duncan (Clerk's Office) to transfer 15 hours.
    - Sandra Schroeder (Corrections) to transfer 8 hours. (Exhibit 16)
  18. Approval to submit a letter and certificate of appreciation to Sue Miller for her dedicated service on the Aging and Long Term Care Advisory Council. (Exhibit 17)
  19. Approval to submit a letter and congratulatory certificate to Len Langston for earning the "Professional Finance Officer Award" for the State of Washington, an award requiring ongoing educational and professional excellence. (Exhibit 18)
  20. Approval of **joint Resolution 2007-474** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Personal Services Contract between the Juvenile Justice Center and Washington State University, Sponsored Project Agreement OGRD #105060-004, effective July 1, 2007, through June 30, 2008. (Exhibit 19: Information sheet.)
  21. Approval of **joint Resolution 2007-475** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Fee for Service Contract between the Benton-Franklin Juvenile Justice Center and Kennewick School District, effective September 1, 2007, through July 31, 2008. (Exhibit 20: Information sheet.)

Second by Mrs. Corkrum. 3:0 vote in favor.

Dispatch Supervisor Ed Bush joined the audience.

Dispatch Update

Mr. Bush told the Board about various studies that are being done regarding the radio repeater equipment.

Vouchers/Warrants

**Motion** – Mr. Miller: I move to accept the vouchers for Salary Clearing Payroll, Emergency Management Payroll and Irrigation Payroll as listed dated August 31, 2007:

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

Salary Clearing Payroll warrants 43786 through 43881 for \$179,217.16; warrants 43882 through 43892 for \$212,777.41; and Direct Deposit for \$254,225.92; for a total amount of \$646,220.49. Second by Mrs. Corkrum. 3:0 vote in favor.

The cover sheet also includes the following:

Emergency Management Payroll warrants 8935 through 8945 for \$3,149.36; warrants 8965 through 8973 for \$3,071.19; and Direct Deposit for \$4,505.14; for a total amount of \$10,725.69; and

Irrigation Payroll warrants 12836 through 12854 for \$8,193.06; and warrants 12855 through 12862 for \$4,329.55; for a total amount of \$12,522.61. (Exhibit 21)

**Motion** – Mrs. Corkrum: I move approval of Current Expense warrant 58777 for \$1,000.00. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 22)

**Motion** – Mrs. Corkrum: I move approval of vouchers as listed: Courthouse Renovation warrants 539 through 540 for \$26,301.70; Franklin County Capital Project warrants 314 and 315 for \$180,385.69; and Law Library warrants 1040 through 1041 for \$3,588.02; for a total of \$210,275.41. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 23)

**Motion** – Mr. Miller: Mr. Chairman, I move that we accept the vouchers as listed in the amount of \$115,365.71: Auditor's O&M warrants 434 through 436 for \$371.21; Current Expense warrants 58778 through 58787 for \$17,812.67; TRAC warrants 626 through 666 for \$34,750.25; Current Expense warrants 58788 through 58791 for \$405.04; Current Expense warrants 58792 and 58793 for \$1843.62; FC Enhanced 911/#139 warrants 1264 and 1265 for \$29,824.24; Current Expense warrants 58794 through 58801 for \$5677.98; and FR Enhanced 911/#139 warrant 1266 for \$24,680.70. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 24)

## **DISPATCH**

Dispatch Supervisor Ed Bush met with the Board.

### **911 Budget Update and Request for Hire**

Mr. Bush said the Civil Service register is exhausted as far as applicants for dispatchers. Three positions still need to be filled that are within the budget and within the staffing levels. For 2008, two new hires have been approved. Mr. Bush has \$60,000

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

left in the 2007 budget. He needs about \$20,000 in additional funds for all five persons for two months. He would like to have approval to recruit some people to test locally. He told the Board about the testing that has already occurred.

Mr. Bush would like to put off the 2007 hiring until November and then in September do an aggressive recruitment and in October do the testing so he can bring five people on instead of three. That gives at least 60 days to get the training of all five as opposed to three and then two at a later date. The current line item for payroll has about \$60,000 excess funds. An additional \$20,000 would be needed for benefits and other costs. He can prepare a resolution for the consent agenda to create the two new positions.

Mrs. Corkrum asked what money is it? Mr. Bush said it is a combination of Enhanced 911 money and state money. Mrs. Corkrum asked if this will be ongoing funding. Mr. Bush said absolutely. In fact, he said, they increased the salary subsistence we receive from \$164,000 up to \$200,500. There is also year-end supplemental funding. The state 911 made a \$1 million error so \$180,000 that 27 counties thought was coming to them is not. But the bright side of that is that the legislature authorized an additional \$10 million. Some committees are working now to go to the legislature in January and February to get permission about how to spend that money. Mr. Bush is sure the additional \$10 million will lead to additional monies to the county in the next fiscal year.

Mr. Bush reiterated that his request is that he has money within the current budget to be able to bring an additional two dispatch positions with the three already-approved positions on in November to get our training done. It is a lot easier to do a group training as opposed to training three people and then two people. He plans to train in November, December, January, and possibly February. By March we should be up to strength with regards to our folks working with us. That's our slowest time of the year as well with regard to calls for service.

Mr. Bowen said you're saying there are three positions in the 2007 budget that haven't been filled. He asked if the 2008 budget has planned for two additional positions. Mr. Bush said yes. Mr. Bowen said the 2008 budget hasn't been adopted yet. He is concerned because there has been a dispute with the City of Pasco regarding the new

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

budget that hasn't been worked out yet. He is concerned about two additional positions without having the matter resolved with the city. Mr. Bush said Dispatch is not on a 12-month calendar budget for a fiscal year. Our 2008 fiscal year budget is taken to the oversight committee consisting of Pasco Fire Chief Greg Garcia, Pasco Police Chief Denis Austin, Pasco Policeman Ken Roske, Franklin County Sheriff Richard Lathim, and Connell Police Chief Rick Rochleau. Those numbers, budgets and positions were approved by them to bring to the committee for approval, which we did. Mr. Bush said the concern that Mr. Bowen has is that Chief Civil Deputy Prosecutor Ryan Verhulp is preparing a new contract which includes a costing factor that is predicated on the number of events that law enforcement responds to. That contract has been sent out to the various agencies for signature. He knows Connell and Franklin County plan to approve the contract. Mr. Bush has told Captain Roske that it would come to City of Pasco. Mr. Bush does not know the city's position on the contract about signing it or going to a dispute resolution process. It is by far the least expensive costing in the state of Washington as far as Dispatch costs go.

Mr. Bowen said the confusion comes because the oversight committee approves the budget but yet his understanding is that Pasco Police Chief Austin is saying he did not. Mr. Bowen has attempted to talk to the Pasco city manager about it. Maybe things have worked out. Mr. Bowen's concern is hiring the two people before having complete consensus. Mrs. Corkrum asked how would that affect our budget? Mr. Bowen said the city pays a portion of the budget. If we hire the two more people and then for some reason the city didn't approve, there could be a problem. Mrs. Corkrum said it's based on a percentage of the total calls for the year. How can they dispute the cost? Mr. Bowen the formula in the past was a base fee and everyone paid on top of that. Now there is not a base fee, just based on usage. Mrs. Corkrum said to her that's the fairest formula. Mr. Bowen is not arguing against the formula. He is stating there is a dispute. If you choose to go ahead with hiring the two people, he just wants the Board to know.

Mr. Koch asked isn't the dispute in the past that you had a fixed budget so to speak and Franklin County was subsidizing the city? Mr. Bush said even in this case we

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

still are for the most part because of indirect costs. What was done in the past was that there was a base paid figured out on five personnel each with the city and county which was a cost of about \$131,000. So their argument is \$131,000 but yet they are 80% of the call volume. Maybe when this was discussed many years ago, that might have been a good process. Now when you look at the amount of growth that has taken place within Franklin County and because the city limits have expanded and so forth, that's not realistic. Mr. Koch said you're trying to bring it up to 2007 or 2008 and they're having a hard time seeing it. Mr. Bush said yes. He said the funny thing is they do agree upon it, yet they disagree if they talk with their city manager. We're saying yes, this looks good and fair, but yet later on they come back and say no, it's not fair. Mrs. Corkrum said it reduced the fire chief's budget but it increased the police chief's budget so he will have to go to the council for his budget and he was objecting to the huge increase. Mr. Bowen told the Board about a conversation he had with Pasco City Manager Gary Crutchfield. Mr. Crutchfield was going to find out more information. Mr. Bowen has not heard more since.

Mr. Bush said could we look at this as maybe approval to go that direction and then before anyone is put on as far as the two positions, maybe we'll know more in another 60 days and then if it looks like it's going to go to dispute resolution, maybe put that on hold but go ahead and fill the three positions. But if it looks like it's going to be in our favor, then it would be okay to do that. Does that make sense? Mr. Bowen said that makes sense to me. If the three have already been approved by everyone involved, then that is an expense that everyone knew was coming. He is reluctant to hire the other two not knowing where the outcome will be. Mrs. Corkrum said the process can go forward. It should be resolved before we pass the budget. Mr. Bowen thinks within 60 days it would be decided. Mr. Bush said the new contracts have gone out.

Mrs. Corkrum said to go ahead and advertise and do testing for five positions. Mr. Bush will do so. He can put off hiring for 60 days.

Overtime

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

Mr. Bush said as of the end of August the budget shows \$10,000 in the hole on the expenditure side for overtime. Of that, \$17,000 is reimbursable funds so actually we'll have \$15,000 on the plus side. Mr. Bush expects the bottom line to still be \$160,000 in our favor at the end of the year. Mr. Bowen asked, "As cash carryover?" Mr. Bush said yes.

**PLANNING AND BUILDING DEPARTMENT**

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

Closed Record Public Hearing: Conditional Use Permit CUP 2007-05, a Conditional Use Permit application to operate a contractor's storage yard (parking and storing of commercial vehicles) in the Agricultural Production 20 (AP-20) Zoning District. Specifically, the application requests the parking of six commercial trucks, seven trailers, and four hoppers. The land is located immediately adjacent and north of the Pasco City Limits and Urban Growth Area Boundary, on the west side of Road 68, northwest of the intersection of Road 68 and Powerline Road. Applicant is Samuel Gonzalez.

Closed Record Public Hearing opened at 9:49 a.m. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. Present in audience: Sam Gonzalez.

Mr. Koch read the rules of the meeting.

Mr. Wendt reviewed the information on the Action Summary (Exhibit 25).

Mr. MacPherson said the commissioners have been furnished with a staff report.

Mr. MacPherson showed a map of the site. He said as a side note, last night the City of Pasco voted to include the property in their urban growth boundary. He pointed out the various areas that surround the site.

Mr. MacPherson showed an aerial photograph of the site and neighboring properties. In 2004 Mr. Gonzalez did a boundary line adjustment, which Mr. MacPherson pointed out on the screen.

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

Mr. MacPherson showed the site plans (not to scale) that were approved in the original conditional use permit from 2001.

Mr. MacPherson showed a map identifying the specific truck parking numbers and location.

Mr. MacPherson said the Planning Commission held a hearing on July 10 and recommended approval with the findings and conditions as specified in the Action Summary. The Planning Department staff and the City of Pasco recommended denial with the findings and recommendations that you have in your packet of record.

Mr. Koch asked if anyone in the audience would like to speak for this proposal.

Sam Gonzalez spoke in favor. He is the owner of the properties. I've had that property since about 1997 for the sole purpose of parking my equipment there. I own a small trucking company. I had been parking a couple different places prior to this. I needed another place to park my trucks. Jim Cherry from the Planning Department and Planner Dick German told him he needed to find somewhere outside city limits to park trucks, that it needed to be ag property. I bought 14 acres. We sold three acres before we did the boundary line adjustment. I've been parking there for years. There have been no problems and no accidents. I thought it would be ideal. It is outside the city. I've never had a problem as far as I know. Then a few years ago I got a conditional use permit approved. Like Jerrod and Greg said, one of the conditions was to build a house on each parcel. I own one parcel and my dad owns the other. That was our intention, to build a house. That was our dream and plan. Financial situations changed. The finances weren't what we expected so we weren't able to do that as far as building houses.

I was under the impression that when I did the boundary line adjustment -- I knew I had to have a house there. I bought the property and it had a house there so in my mind I had a house on my property. The planners are telling me it had to be on a certain spot of the property. In my mind, that problem was solved because now I had a house on my property. Apparently that's not how it was written up. The house was supposed to be over here towards the front (indicated) but it's still on my property. I applied for another permit but they revoked it because of certain conditions that weren't done. I applied to

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

reinstate my CUP and went before the Planning Commission. They all unanimously approved it. They said with certain conditions, I could continue parking my equipment there.

I would really like to park my equipment there on my property. As I told the other board, for me to relocate would pretty much put me out of business. I can't afford to go out and buy some other property. It's ideal for me. It's outside of the city limits. Had I known this property would be in the city limits, I would not have bought it. I bought it specifically because it was outside the city limits. Now Pasco is growing. Nobody asked me if I wanted to be in the city. I love this town. I've lived here all my life. I pay all my property taxes. I run a small business. I employ a few people to help me with my business. I can't afford to relocate my business. For me that's an ideal property for what I do until I'm able to get out of it and do something else. That's why I'm here today. The other board approved it. I'm hoping you will, too.

Mr. Koch said one thing you mention is that the CUP was revoked. Was it revoked or did you just run out of the limits of the CUP? Mr. Gonzalez said I believe it was supposed to be looked at in five years, other than there was some landscaping that was not done. In my layman's head, the landscaping was going to be surrounded by the houses. Mr. Koch said so it wasn't revoked, you just ran out of time limit?

Mr. MacPherson said it's both: the conditions weren't complied with within the time frame so it was revoked. Yes and yes. Mr. Koch said it was a five-year time frame whether the trees were planted or not? Mr. MacPherson said it was a five-year time frame to comply with the conditions.

Mr. Wendt read from the original CUP: If a home isn't placed or constructed on the northern parcel, on the parcel where the trucks and equipment are to be parked and stored as shown on the submitted site plan within five years from the date of issuance of the conditional use permit, the applicant shall be required to submit a new conditional use permit for the application to determine if the characteristics of the general area have changed.

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

Mr. Koch asked where do you live now, Sam? Mr. Gonzalez said off Road 106 in Pasco. He said part of the reason why we decided not to build our house there was the area had changed. He described the changes with houses and apartment houses. He also got a notice saying there would be an RV park to the north of us. He described the RV park plans. We had plans to build our dream house there on our property. It was ideal for us. The apartments started going up. They were talking about putting the water tower just south of our property. Now we know it didn't happen. We didn't want to build our dream house between a water tower, apartment complex, substation and RV park. It was not what we had thought of. So we ended up moving into town. We still own the property and figured we would use it for the business.

Mr. Koch asked about the shop in back. He said everything I see here is for storage of trucks and trailers, not repairs on them. You must have a repair shop, too. Mr. Gonzalez said basically I adjust my brakes, I change my oil, and stuff like that. Years ago it used to be a tomato processing place from what he understands. I use that place to park my trucks. I park my personal stuff in there such as cars.

Mr. Koch asked is that allowed in the CUP as it's listed? Mr. MacPherson said maintenance and repair was never brought up so it probably wouldn't be covered. Mr. Gonzalez asked why would that be even an issue? It's a big enough shop.

Mr. Koch said just because it's a "conditional" use permit. The use is conditioned under what you had asked for. Mr. Gonzalez said I lived there for four years and that was my garage. I had my personal vehicles and motorcycles in it. I still do. Most of that area is filled with my personal things. If I want to wax the trucks or something like that, I pull in there.

Mrs. Corkrum said your original conditional use permit was for six years and five months. In my way of thinking, in that six years and five months you didn't comply with one single condition. Mr. Gonzalez said I did. One was I put some gravel down. I put in trees. They're not 50-foot trees but there are trees there. Mrs. Corkrum said they're dead. Mrs. Corkrum said there are all kinds of poplar trees that would be huge in five or six years. Mr. Gonzalez said the picture on the screen must have been taken before. He

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

showed on the screen where trees are located now. Mrs. Corkrum said they're not acceptable to me. I don't see any assurance that you would comply with any of the conditions. Mr. Gonzalez said the conditions on the original CUP did not say what kind of trees needed to be put on there. The last one says poplars or Aussies.

Mrs. Corkrum said six years ago there was not the commercial area south of you like there is now. With pulling off on that two-lane road, Road 68 is a traffic hazard. I just think that because you're up against the urban growth boundary and all of the houses that are there, it is not a fit in this area.

Mr. Gonzalez said I am as of now outside the city. Most of the traffic ends at Sandifur Parkway. There are just a few little apartments. Mrs. Corkrum said I'm not going to argue that point. I just know there is more traffic on Road 68 than six years ago and there are more houses. This is more of a commercial endeavor rather than farm-related and because you don't live on the property and you didn't build a house – and you gave us good reasons why you didn't build a house there – but that's my whole point. When the permit was issued originally, the demographics out there were a lot different than they are today.

Mr. Miller said things have changed with the city there and the road. I do see some problems. The question I have to the planners is, are there any other similar cases in the city now? Mr. MacPherson said the city allows truck parking only in their industrial areas. They have industrial areas along A Street and Lewis Street. Mr. Miller asked about Argent Road. Mr. MacPherson explained what the code allows for property over 2-1/2 acres. One truck can be parked in those cases. It has to be sight-obscured.

Mr. Miller said we have to be consistent. We can't make exceptions. The characteristics of the general area have changed. I have a problem with giving you that CUP because I think things have changed and I think you did have an opportunity there. I also think – and I don't want to get into people's finances --but the Planning Commission hearing stated how they don't want to cause any financial problems. But the way I look at it, that piece of ground is worth a good chunk of money and I think you can purchase

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

something further out of town unfortunately. But I think it's something that can be done and I think you can benefit from it actually.

Mr. Gonzalez said I don't want to sell that ground.

Mrs. Corkrum quoted: "Until the residences and shops are constructed, site-obscuring vegetation landscaping shall be utilized to screen the large machinery from adjacent properties. The site-obscuring vegetation trees, i.e., poplars, shall be planted in accordance with the submitted and approved site plan at a maximum of 12-foot intervals. All of the site-obscuring vegetation trees on the northern-most parcel shall be planted in accordance with the submitted and approved site plan within six months from issuing of the conditional use permit," and that wasn't done.

Mr. Gonzalez said I do have trees there. Mr. Miller asked can you explain what those trees look like and are right now? I drive by there every day. I think there are some brown ones about two to four feet tall. Mr. Gonzalez said a few of the trees did not make it. I have pulled a few out and replaced them. I have planted trees in the front and the side. The trees and grass and landscaping were going to be planted around the house. I wasn't able to build and I got deterred because of the surrounding area, because of the apartments and the substation and the future plans for a mini-storage and whatnot. At the last meeting they brought that up and said if I put them in the front and to the south of the property and they specifically said Aussies or poplars.

Mr. Koch said part of our problem from what I'm hearing from the board here is you were asked to do that six years ago and you didn't so what's going to be different this time? Mr. Gonzalez said I figured it was to do with the houses that weren't built.

Mr. Koch said it's a conditional use permit that you came in and asked for and you were given that conditional use permit under conditions that you obviously knew at that time because I think you signed it. So for me it's hard to see if you will do anything different this time than you did last time.

Mr. Gonzalez asked you can't give me a chance and wait and see if it does happen? I don't see why it would be so hard to put those trees up. That was the biggest thing with the other board. Mrs. Corkrum said partially the reason the trees aren't

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

growing and maturing is because there's nobody there attending them. Mr. Gonzalez said I'm there every day. I don't live there now but there is somebody living there in the home. Mr. Koch said he doesn't think they are a type of tree that is going to grow rapidly. Mr. Gonzalez said he tried three different times to put in a pasture when he was living there. I'm not a farmer. I haul farm commodities. I put the sprinklers in and watered the heck out of it but I could not get a pasture to come up. The land there is just really dry and sandy. He pretty much gave up on getting a pasture. He is guessing the trees are the same. He has a drip line on them and it is on. I don't have a green thumb apparently. I don't see why I couldn't try again. There is a live well there that is being used.

Mr. Gonzalez said I understand your view as far as the general area growing. I have a problem with being kicked out of my own property. I have the deed. I own it. I pay my property taxes. I've been parking there for years. Yes, the area is growing out there, and pulling in and out of my property, sure, I'm not going to pull in and out at 50 miles an hour. I tell my guys to pull out as carefully as they can. Sometimes we have to wait. I'm not going to cause an accident because we're in a hurry. We're going to try to be as safe as we can pulling in and out of there. Moving my trucks out of there, I don't have anywhere else to park them. To buy a few acres somewhere else is not something I'm going to do very easily. It's going to financially ruin me. I can't afford it. I don't see why there wouldn't be some way to continue to allow me to park there on my own property. The other board was unanimous. It seems to me like you three are saying no. I understand there are many conditions I didn't comply with. I was guessing that most of the landscaping was due to the house, the grass and trees and shrubbery. That was my plan but you don't build a house with just a couple thousand dollars. That was before I bought this other property. That's why I did the boundary line adjustment. I didn't have intentions of buying this other property. The opportunity came up to buy this property (indicated). That's where my money went. I did the boundary line adjustment and thought I have a house on my property now. It wasn't over here on this specific area (indicated) but it's still my property.

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

No one else was present to speak for or against the conditional use permit.

**Motion** – Mrs. Corkrum: I would move that we deny the conditional use permit with a one-year timetable for discontinuance, reverse the Planning Commission's recommendation and deny Conditional Use Permit application 2007-05 subject to the six Findings of Fact as presented by the staff in the staff report at the open record hearing on July 10, 2007. Further, Mr. Gonzalez has one year from the date of this hearing to remove all equipment and materials requested as part of this application and obtain compliance with the county zoning ordinance. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2007-476.

**MINUTES**

**Motion** – Mrs. Corkrum: I move for approval of Commissioners Proceedings for August 27, 2007. Second by Mr. Miller. 3:0 vote in favor.

**Motion** – Mrs. Corkrum: I move for approval of Public Works payroll in the amount of \$68,233.69. Second by Mr. Miller. 3:0 vote in favor.

**Motion** – Mrs. Corkrum: I move for approval of Motor Vehicle Fund payroll for the amount of \$10,723.33. Second by Mr. Miller. 3:0 vote in favor.

**Recessed** at 10:26 a.m.

**Reconvened** at 10:30 a.m.

**PUBLIC WORKS**

Engineer Tim Fife met with the Board.

**Bid Opening: CRP 589 Erwen Trust Boating Access**

Bid Opening convened at 10:30 a.m. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; Engineer Tim Fife; and Clerk to the Board Mary Withers. Present in audience: Glenn Bestebreur and two other men.

Two bids were received:

Apollo	Base bid	\$535,307.27
	Alternate:	\$ 15,756.97
Ray Poland & Sons	Base bid	\$886,531.56
	Alternate:	\$ 23,376.91

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

Engineer's estimate:	Base bid	\$684,610.33
	Alternate:	\$15,179.87

Mr. Fife hopes to ask for award of the bid on Monday. There is money available to do the project. He told the Board what work the base bid covers. The alternate was for the parking area. The City of Pasco is interested in finishing it out. The city will have the choice of whether or not to do the alternate.

Bid award: One new small light utility vehicle

Mr. Fife said the bid is about \$200 more than last year's state contract amount for 2008 so he is comfortable with the amount.

**Motion** – Mr. Miller: I move that we accept the bid for one new small light utility vehicle for \$18,429.42 including sales tax for a 2008 Ford Escape from Russ Dean Ford. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 26) Mr. Fife said the bid includes some shop manuals that are above and beyond the cost of the vehicle which would cost about \$500.

Road Concern

Mrs. Corkrum and Mr. Miller have each received a call about concerns about narrow gravel roads. Some roads in particular are Dogwood, Alder and Cherry Lane. Mr. Fife said he plans to be asking for some Current Expense funds to help widen some roads. He answered the Board's questions about how gravel is reclaimed. Mrs. Corkrum said the deep ditches are there for a purpose, not just rain runoff, but to keep farmers from tearing the roads up. Mr. Fife said it will take some conscious effort and money to do the work. He thinks we're asking for \$50,000 or \$60,000 a year to do about three miles a year.

The Board asked Mr. Fife to arrange a meeting with the person who called to go on a road tour of the roads he is concerned about so the roads can be added to the list.

Vouchers

**Motion** – Mrs. Corkrum: I move for approval of the vouchers: County Road Fund for \$271,389.71; Motor Vehicle and Public Works Equipment Fund for \$75,887.76; Solid

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

Waste Fund for \$11,631.43; and Solid Waste Fund for \$761.47. Second by Mr. Miller.

3:0 vote in favor. (Exhibit 27)

2008 Budget

Mr. Fife said he will be submitting a letter asking that Current Expense subsidize the 2008 Public Works budget by \$1.6 million. Public Works is are not fully funded any more.

**HUMAN SERVICES (HS)**

HS Director Carrie Huie-Pascua met with the Board.

Update

Mrs. Corkrum asked if advisory boards are supportive or is there resistance? Ms. Huie-Pascua said last month they showed their support very clearly. She is feeling it very differently this month as we prepare for our meeting.

Some Federal block grant money will have to be sent back to the state. We had earmarked some of the funds for peer (supportive) counseling for other mental health clients. The problem is the state didn't provide enough training to certify people. The state is trying to remedy that by putting out more trainings in the future so we can use the money to support that program. The state contacted our RSN and said we have identified about \$53,000 that will go unused and encouraged the RSN to use that money in other parts of its region. It is not possible to use the funds in the Benton-Franklin Human Services program before the deadline. A special meeting was held on August 22 to authorize the remaining Federal grant dollars to be moved to a Yakima program. Ms. Huie-Pascua told the Board about the two programs the funds will be used for in Yakima, one called Pathways and the other called Clubhouse. Some of the Benton-Franklin clients do benefit from the Pathways program. The Clubhouse is similar to the Wilson House in the Benton-Franklin program. Mr. Koch said he has heard the funds get moved around quite often in the RSN.

Mrs. Corkrum asked would it be helpful if we come to the mental health advisory board meetings once in awhile? Ms. Huie-Pascua said absolutely, it would be wonderful. Mr. Koch said he did earlier. He hopes to attend tomorrow night. Mrs. Corkrum said

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

some of the board members are not getting the true picture. The total population being served is about 700 but there is fluctuation. Clients have the ability to choose which provider they use so there is constant movement of clients. The services are consumer-choice. A provider has to keep a client's file for a certain period after the case has been closed. Ms. Huie-Pascua believes it is required to be kept for seven years.

She told the Board that \$4.5 million of reserved funds is committed for various programs. She described efforts to show that to the advisory board members every month. She feels the dollars are well committed and the programs they are supporting are very effective. Mrs. Corkrum talked about the interest that was received in the past on funds that have been held in reserve.

Ms. Huie-Pascua will present the 2008 budget to the Board soon.

She will be recommending a next step to the Board regarding the mental health provider contracts. The new contracts are being prepared with review by prosecutors in the appropriate counties.

Ms. Huie-Pascua said regarding the mental health RFP for the residential portion, you have the opportunity to pull the RFP process at any time without any legal liability. We're looking at a positive course of action so we don't have a protracted process. We don't want to have a gap in services. We want to have good providers. She hopes to have a full analysis and a recommendation for the Board next week.

Other Program Areas

Other program areas for Human Services are going fairly smoothly. There are some new providers in substance abuse. We have taken some time to help them get up to speed. Connie Simpson who is the director of the Substance Abuse Assessment Center is retiring in December. The position requires a chemical dependency professional.

**COUNTY ADMINISTRATOR**

County Administrator Fred Bowen met with the Board. Present in audience: Ed Bush, Steve Marks and Liz Cupples.

Bid Award: X-ray scanning equipment and walk-through metal detection equipment

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

The lowest bid is also the most qualified as far as the equipment technology. The bids were reviewed by Liz Cupples and Kevin Scott in the Information Services Department. Mr. Koch asked does it fall within the qualifications of the technology? Ms. Cupples said yes. The lowest bid included taxes and shipping. The bid is \$26,180. Mr. Koch asked was it within what we had expected for revenue? Ms. Cupples said yes.

Mr. Bowen said this is for two metal detectors and one X-ray machine. We may end up purchasing a second X-ray machine as a backup. The cost would probably be about \$18,000. It can be addressed at a later day.

**Motion** – Mr. Miller: Mr. Chairman, I move that we accept the bid and send this letter of award to Astrophysics based in the City of Industry, California, for the amount of \$26,180. The contract award is for the X-ray scanning and metal detection project. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 28)

**Bid Award: Emergency Backup Generator**

**Motion** - Mrs. Corkrum: I move that we continue the bid award to September 10. Second by Mr. Miller. 3:0 vote in favor. Mr. Bush and Ms. Cupples left the meeting.

**Budget Transfer: to purchase a button entry for WSU Extension**

Mr. Bowen asked for approval of purchase of a button entry for an entry door that will be used by WSU Extension in the Courthouse Annex. The cost is \$1835.79. The transfer is for \$1900. It's for the county because we support WSU.

**Motion** – Mr. Miller: Mr. Chairman, I move that we authorize Information Services to purchase a security module for use on the WSU door at the Franklin County Annex; approval to create line item 518.80.35.0001 in the amount of \$1835.79 for hardware and installation; and authorize a transfer of \$1900 for this purchase. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2007-477.

Mr. Bowen said employees can access the basement through the Health District. **Executive Session** at 11:37 a.m. regarding union issues based on RCW 42.30.140(4) expected to last 15 minutes.

**Open Session** at 11:59 a.m.

**Adjourned** at 11:59 a.m.

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for September 5, 2007

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until September 10, 2007.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

---

Chairman

---

Chairman Pro Tem

---

Member

Attest:

---

Clerk to the Board

Approved and signed October 1, 2007.