

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for January 7, 2008

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 Bridgette Scott met with the Board.

Consent Agenda

**Motion** - Mr. Miller: I move that we accept the Consent Agenda for January 7, 2008, as follows:

1. Approval of *Voluntary Transfer of Annual Leave Request* as per Resolution 2001-246 for Amy Schroeder (Treasurer's Office) for a total of 56 hours as follows:
  - James L. Cherry (Planning & Building) to transfer 8 hours.
  - K.C. Clements (Correction's Center) to transfer 8 hours.
  - Mavis Williams (Coroner's Office) to transfer 40 hours. (Exhibit 1)
2. Approval of **Resolution 2008-007** authorizing the Chairman to sign estoppel certificates on behalf of the Board for property located at 4525 N. Road 68, Pasco, Washington.
3. Approval of **joint Resolution 2008-008** in the matter of execution of an Interagency Agreement between Washington State Department of Community, Trade and Economic Development and Benton and Franklin Counties' Department of Human Services, providing funding to operate a residential substance abuse treatment program, effective September 1, 2007, through June 30, 2009. (Exhibit 2: Information sheet.)
4. Approval of *Out-of-State Travel Request* for Dan Blasdel to attend the International Coroners Board Meeting in Miami, Florida, January 27-30, 2008, for an estimated cost of \$1,744.39. (Exhibit 3)

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

Vouchers/Warrants

**Motion** – Mrs. Corkrum: I move that we accept the 2007 vouchers/warrants dated January 7, 2008, as listed: Veteran's Assistance warrants 1370 through 1376 for \$4,038.69; Current Expense warrants 60821 through 60861 for \$25,313.16; Jail

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Commissary warrants 2413 through 2418 for \$3,956.89; Crime Victims warrants 387 through 389 for \$5,291.03; Current Expense warrants 60862 through 60918 for \$1,448.54; Current Expense warrants 60919 through 60965 for \$24,865.34; FC Enhanced 911 warrant 1278 for \$42,940.95; DOC Building Inspection warrant 55 for \$2,218.37; Law Library warrants 1057 through 1059 for \$319.66; Current Expense warrants 60966 through 60975 for \$6,557.93; and Treasurer O&M warrant 185 for \$300.66; for a total amount of \$117,251.22. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 4)

Human Services

Mr. Koch told the Board about a conversation with Benton County Commissioner Leo Bowman regarding the need for a vehicle for use by Human Services Director Carrie Huie-Pascua. A bi-county meeting has been tentatively scheduled in Benton County on January 14 regarding a personnel issue.

**DISTRICT COURT**

District Court Administrator Terrie Yonts met with the Board. Present in audience: Troy Woody.

Department Update

Ms. Yonts told the Board some 2007 year-end figures regarding the number of cases and trials that were handled in District Court.

Ms. Yonts told the Board about some District Court goals for 2008: implementation of a new case management system; implementation of Official Payment ability; and implementation of use of email by defendants for court proceedings.

The state has selected Franklin County to begin implementing a new case management system in the spring. All counties in the state will do it by 2012. This has created a lot of work for us. We are cleaning up all the files that are over the 10-year judgment period. Ms. Yonts said there shouldn't be any cost to the county for the new case management system. We may have to close down for two or three days for training around the end of May. They will be extensive on-site training for a week. Then someone from the state will remain on site for a whole month.

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The contract with the Official Payment company is being reviewed by the Prosecutor's Office.

Ms. Yonts explained how defendants could use email in District Court. District Court hopes to implement the email process this year.

Ms. Yonts said the judges pay three-quarters and the clerks pay one-quarter of the water bill, costing about \$140 every two months. A new system with Culligan would use water from the break room and filter it through a machine, costing about \$30 per month. It's basically a water purifier. The contract is on a month-to-month basis. The water is used for jurors and for staff. Adoption of the contract will be placed on the consent agenda.

## **TRAC**

TRAC Manager Troy Woody met with the Board.

### Department Update

Mr. Woody gave an update on sales and installation of signs in the arena. The cost for the signs will be paid from an arena improvement line item. Some will be paid from the 2007 budget and some from the 2008 budget, depending on when signs were sold. The estimated revenue from sale of all the signs is about \$40,000.

Mr. Woody showed the Board a tentative new organization chart. He said there would be no net salary impact at all for the changes he hopes to make. He explained how some job titles will be cleaned up on the organization chart.

Mr. Woody told the Board about some follow-ups that have occurred since the retreat. A lot of the items will require capital. The facilities staff will now be in uniforms. It is very cost effective. TRAC employee Tom Hewitt and Mr. Woody will meet with Sysco in Spokane next week and they will help us design a professional concessions stand. We will upgrade the concessions this year. Mr. Woody intends to use money from vendors we use to do the upgrade work. For example, if we buy Lamb-Weston fries from Sysco, we're going to figure out how Lamb-Weston can help us do the concessions. We're hoping to absorb most of the cost from the vendors.

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Mr. Woody told the Board that there are some interested parties in naming the arena. If funds are received from the arena naming, he expects to use them to redo the freeway sign. Cousins Restaurant is considering installing a reader board on Road 68 on their lot. They are trying to figure out how they can advertise TRAC events that benefit their business. The freeway sign will allow three to five readable, good quality messages at 70 miles per hour.

TRAC has up to six payment boxes now, such as for the PUD. The boxes do not have a negative impact on TRAC.

CKJT Architects is preparing a design to try to get direct access onto the Arena floor rather than using stairs. The project would involve moving an elevator. There are two elevators but only one would be modified now. Then if we like it, we can move the other one as well. There is no disadvantage. The stairs stay in place. There are advantages in terms of accessibility and aesthetics.

Mr. Bowen said we still plan to look at some other arenas as part of a 10-year plan to improve the arena. He said his primary goals are to install a concrete floor, redo the bleachers, and get a cover for the outdoor arena.

Mr. Woody said the plastic flooring will have to be replaced in 2008 or 2009.

There was discussion about potential upgrade of the arena. The money received from the .09 fund would not cover the total work needed. Air conditioning really needs to be done but would cost a million dollars. However, Mr. Bowen feels the new seating is more important than the air conditioning.

Mr. Woody has been told by a fundraiser that TRAC is unique and needs a nonprofit fundraising group of some kind.

#### **COUNTY ADMINISTRATOR**

County Administrator Fred Bowen met with the Board. Present in audience:  
Walt Neff.

#### **Parking Lot over 6-acre parking lot**

Public Works has completed the design for the six-acre parking lot. Mr. Bowen feels the parking lot work has become much bigger than what was originally planned. It

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has become more of a transfer station for Ben Franklin Transit than just a place to park 20 cars for Ben Franklin Transit Van Pools. Mr. Bowen asked for Board direction.

Mr. Koch said we need to see some pictures and figures. Mr. Bowen said a few changes are being made to the design and some price information is being obtained for the engineering work. Landscaping and water is in the design.

Mr. Koch said the boulevard area needs to be cleaned up and graveled if nothing else. Mr. Bowen said we haven't gone anywhere with that. He said the City of Pasco would allow any improvements. Mrs. Corkrum asked Mr. Bowen to get the city's approval in writing.

Mr. Bowen asked, one, if the Board really wants Ben Franklin Transit to utilize that much of the parking area, and two, how do you want to handle it? Is it going to be a lease or a donation? Mrs. Corkrum does not think we can afford to give Transit anything. Mr. Koch said he had always heard that Transit has some money available. Mrs. Corkrum said they have \$250,000 which is just for the construction of their part of the lot. She said Transit has had to purchase the land to do their other transfer stations. She said we don't have enough room for a full-fledged transfer station. She had understood it would just be a turn-out for a bus to drive in and the cars to be parked for Van Pools. We felt they would be gone in the evenings.

Mr. Koch said the Van Pool and the transfer station are not tied together in his mind. He can't see that the transfer station would do anything but help us to get people in TRAC. Mr. Koch said it would help the tax base in that area and visibility. He does not mean we should gift it.

Mr. Bowen would not recommend the county sell the property to Transit but maybe lease it. The Board agreed. The Board members feel the majority of the use will be during the weekdays and in the daytime. The county's expense will be for trenching and for lights. Mr. Bowen said the parking lot work will involve doing a seal coat or BST over the top of the grindings that are in place.

The City of Pasco requires grass and other vegetation in the islands. Mr. Bowen thinks we also need to have lighting in place.

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**OTHER BUSINESS**

Walt Neff met briefly with the Board. He said he is opposed to the proposed CUP 2007-17 for a conditional use permit to operate a bed and breakfast facility. The Board told him the Public Meeting is scheduled for 10:45 am. Mr. Neff asked if he would be allowed to testify at the meeting. The Board briefly reviewed the rules of the meetings and felt he could be asked questions by the Board. Mr. Neff said he would return for the meeting.

**Recessed** at 10:11 am.

**Reconvened** at 10:21 am.

**PUBLIC WORKS**

Engineer Tim Fife and County Surveyor John Christensen met with the Board.  
Present in audience: Butch Wiswall.

Road Closure Request

Sharpe & Preszler Construction Company is doing some work on Road 56 and has requested approval to close the road rather than using a flagger, primarily because of the narrow width of the road. About eight crossings need to be made for connections. The road would be closed for 1200 feet. Property owners adjacent to the road would still have access. It would be re-opened in the evenings.

**Motion** – Mr. Miller: I move that we authorize the road closure request on Road 56 for water main and water service installation until finished and detour traffic through Road 52. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 5)

Vouchers

**Motion** – Mr. Miller: I also move that we approve the vouchers for County Road Fund for \$415,239.30; MV & PW Equipment Fund for \$18,661.97; Solid Waste Fund for \$43,399.38; and Solid Waste Fund for \$171.00. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 6)

Resolution: Acceptance of Maverick Court as a County Road

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**Motion** – Mrs. Corkrum: I move approval that we accept Maverick Court as shown in the final plat of Columbia Flats and declaring it a county road. This is Resolution 2008-009. Second by Mr. Miller. 3:0 vote in favor.

**Study of a new Columbia River Crossing**

At a meeting last week, Mr. Fife got a further clarification from the City of Richland as far as investigating the possibility of a bridge in north Franklin County. Richland is looking at that as an option to upgrade the Bypass Highway, in other words, providing a second route to get to north Richland that would come across the river and come down the Franklin County side versus doing a whole bunch of interchanges. Richland received a Federal grant to do some study, a portion of which can be used for studying a north Richland toll bridge. Mr. Fife said the study group will also look at a bridge in Walla Walla County so the study has grown to include looking at the entire area. A scope of work is being prepared for a study and what we would get out of that. Mr. Fife said this is perhaps a 50-year plan. Even if there was money available, it would take five to ten years before any construction because of permits. The county has committed about \$10,000 for the study. The City of Richland will pay up to \$125,000, depending on the scope of the study.

**AUDITOR**

Elections Supervisor Diana Killian met with the Board.

**Public Hearing: To take testimony for and against a Franklin County ordinance authorizing the publication and distribution of a local voters' pamphlet for the special election to be held February 19, 2008, in conjunction with the Presidential Primary.**

Public Hearing convened at 10:32 am. Present: Commissioners Koch, Corkrum, and Miller; County Administrator Fred Bowen; Elections Supervisor Diana Killian; and Clerk to the Board Mary Withers. Present in audience: Butch Wiswall, Walt Neff and Ron Reiman.

Ms. Killian said the state is preparing a voters pamphlet for the election. They have offered to include Franklin County ballot measures also for the same election day. There are school issues for Pasco School District, North Franklin School District,

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Othello-Washtucna School District, and Kahlotus School District. The school districts would pay for their portions of the pamphlet as part of their election costs. The state pays the costs for the Presidential Primary election this year.

Ms. Killian said we wanted to take advantage of giving the voters more information. The Pasco School District has submitted an "in-favor" statement but not an "opposed" statement. The other school districts have not submitted any statements.

Mr. Koch asked if anyone would like to speak against the ordinance, for publication and distribution of the voters pamphlet.

Butch Wiswall said he'd like to congratulate you on the courthouse. It's a very nice place. This is a lot more professional than the last time when I testified.

Mr. Wiswall said I probably need some clarification on the situation. First of all, I wanted to say that I don't come and complain very often. However, if I did come in very often I would have been here about the judicial increase in the judicial budget and suggested that maybe instead of feeding prisoners so well and keeping them at 70 degrees, maybe lower the temperature and feed them a few more beans.

Mr. Wiswall said he wasn't aware of this voter pamphlet deal until last fall. I was up for re-election on the Star School District. Our administrator brought a letter stating the state was paying for the general election -- I need some clarification because I'm not completely clear on what Ms. Killian is saying now -- but from that point on it would be the county's duty to pay for it and the cost of that voters pamphlet was like \$75,000 or \$80,000. I feel like if we do not know the people in our county that are running for office that we shouldn't be given the privilege of voting because if I don't know my neighbor or whoever is running for office, then I need to drive the 20 miles from there over and meet him or go to a meeting where he's speaking or something. We do not need a voters pamphlet.

Mr. Wiswall said the second thing that hurts me so badly and that I may protest to the Election Board regards the previous voters pamphlet. I called up and said, is it going to be printed? Is our Franklin County pamphlet going to be printed in Spanish? He was told yes, that is the law. Mr. Wiswall said at some point in time we have to come out and



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stand up for what we believe and I don't believe here in America if we're going to speak English as our nationality then we shouldn't be allowed to vote if we can't speak English and read English or have somebody read it to us. Mr. Wiswall said he had registered to run for office before, in July. He said he asked that his name not be put in the voters pamphlet if that was the case. Mr. Wiswall said they said I don't know if we can do that. Mr. Wiswall said I went a step further. I said if my name can't be left out, I want to take my bid for election out. Evidently it was not able to be left out of the voters pamphlets because I was not on the ballot. Mr. Wiswall said I feel that is infringing on people's right to run for office just because they don't want to be in something. It shouldn't make a difference if I want to run against a guy that is in the voter's pamphlet, then I don't get as many votes as he did because somebody didn't know me, then that's my fault if I wanted to run that way. I felt that was an infringement.

I do not believe that we in the county should spend \$80,000 to write up a deal -- All the initiatives and the other things are going to be in the state voters pamphlet. I don't feel like for the Connell Fire District there ought to be each guy in there when we should know those guys and know who we want to elect in this small of an area.

Also my feeling is so strong that we should keep this to an English-speaking area. Those are my thoughts for the day.

I would like you to explain to me about the pros and cons against the school putting out a deal for the whole county. Star District -- Why am I going to be mailed a voters pamphlet that tells me about them? Is the state paying for this voters pamphlet?

Ms. Killian said the state is paying for the state portion of the voters pamphlet. It's a Franklin County edition of voters pamphlet in that all issues pertaining to Franklin County are in this pamphlet. If you picked up a sample ballot from us, it would have the ballot title.

Mr. Wiswall asked what will be the estimated cost of Franklin County's portion? Ms. Killian said for the last voter's pamphlet, when we applied for a Federal grant, we estimated \$20,000 a year and it turned out to be about \$6000. It's based on a certain number of pages and how many issues. If it's financially not possible for the school

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districts to participate, we can come to the board and ask for a waiver to not be included. There is that option for those districts that cannot afford it to opt out of it.

She said this has come about because we have had many, many more calls asking for local measures to be included. You're coming from a smaller community where people know each other.

Ms. Lenhart joined the audience at 10:45 am.

Ms. Killian told Mr. Wiswall he is the first one that has opposed the voters pamphlet for Franklin County. She said she does remember Mr. Wiswall's call.

Mr. Wiswall said my other question is I could not run for office without being in the voters pamphlet. Ms. Killian talked about the rules. Mr. Wiswall said I don't want to pay to have something printed and then you write in "No response." Ms. Killian said that's just the law.

County Auditor Zona Lenhart joined the meeting.

Mr. Wiswall said I've voiced my opinion. As a taxpayer, I was not in favor of the simple majority ruling. As a taxpayer you have lost some of your handle on being able to control something. Now more things come on line that taxpayers are going to have to handle. Some day we're going to have to eat some more beans – somebody is going to have to eat some more beans.

Mrs. Corkrum asked did you say that a candidate could request this Board to waiver? Ms. Killian said not a candidate but a district. She said it has to be a financial reason. The school district could petition the Board for a waiver. They can send the Board a letter. Ms. Killian said we have rules, a policy that we've developed to help districts know. We basically need to know before the process. Mrs. Corkrum asked are you planning to mail the policies out to all the districts? Ms. Killian said they have been sent out. She has been in contact with the districts to make sure they understand. The only district that responded was Pasco.

Mrs. Corkrum asked if the \$6000 cost will be billed to the districts. Ms. Killian said yes, it is part of their cost.

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Mr. Wiswall said why isn't the option to opt out given to an individual then?  
Ms. Lenhart said it's just the way the law is written.

Mrs. Corkrum said could that be viewed as when you run for public office your privacy is moot, because I was saying would this teeter on invasion of privacy if he didn't want his picture and name in the pamphlet? Ms. Killian said no, because if he doesn't want to submit a photo and statement, that's optional, but putting that the position is open is required.

Mr. Koch asked twice if anyone else would like to speak against the ordinance. There was no response.

Mr. Koch asked three times if anyone in the audience would like to speak for the ordinance. There was no response.

Mrs. Corkrum said she understands Mr. Wiswall's frustration. She thinks the cost of printing a ballot in two languages is a frustration to a lot of people. Unfortunately, this is Federal law. Ms. Lenhart said it is actually lined up in census rules, based on Franklin County's 2000 census. Ms. Killian said HAVA stands for the Help America Vote Act. This is a Department of Justice requirement.

Ms. Lenhart said when dealing with the Department of Justice, we are dealing with two types of attorneys. First the PR attorneys come and then the pit bull attorneys. The pit bull attorneys tell you what you are going to do and if you don't do it, you wind up in a Federal lawsuit.

Mr. Wiswall asked are they telling you that you have to print a voters pamphlet in Franklin County? Ms. Lenhart said no. Mr. Wiswall asked is anyone telling you that you have to? Ms. Lenhart said, no, the voters do.

Mr. Wiswall said our letter to Star School District said the Federal government was giving you \$75,000 to \$80,000 that would be paid by the Federal government.

Ms. Killian said it was a two-year grant, \$20,000 for one year and \$20,000 for the next year. Mr. Wiswall said you shouldn't have sent us that letter then. It's still too much money.

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Ron Reiman with T&R Farms in Pasco spoke. He asked who determines the requirement for printing in two languages? Ms. Lenhart said the Department of Justice does. Mr. Reiman asked is there a number of population percentage? Ms. Lenhart said yes. Basically it's about 50%. It is based on population versus registered voters. Basically because Franklin County has a Hispanic population of 50%, everything regarding elections has to be in Spanish. If we could get the Feds to go by registered voters, not population, we wouldn't have to do this.

Mr. Reiman said do you go down the slippery slope here and once the white population is 30%, do you no longer have it in English?

**Motion** – Mrs. Corkrum: I move we approve an ordinance authorizing the publishing and distribution of a local voters pamphlet for the special election to be held February 19, 2008, in connection with the Presidential Primary. Second by Mr. Miller.

Mrs. Corkrum asked if this ordinance is just for this election, not for future elections. Ms. Killian said it is not for future elections. 3:0 vote in favor. This is Ordinance 1-2008. (Exhibit 7)

**Recessed** at 10:57 am.

**Reconvened** at 10:59 am.

**PLANNING AND BUILDING DEPARTMENT**

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

Public Meeting: CUP 2007-16, an application by Granite Northwest, Inc. (Bill Burton), for a conditional use permit. Said application is to place a mobile office structure (factory assembled structure) on approximately 40 acres of land zoned Medium Industrial I-2.

The use of the structure is for office space.

Public Meeting convened at 10:59 am. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; Planner Jeremy Underwood; and Clerk to the Board Mary Withers. Present in audience: Walt Neff, Butch Wiswall, Ron Reiman, Ralph Thomsen and Reid Reiman.

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Mr. Wendt reviewed the information on the Action Summary (Exhibit 8).

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

He showed an aerial photo of the northwest corner of the property and showed where an office building is located. The applicant is also planning to apply for a breezeway between two structures. It is a commercial office with offices and a conference room.

Mr. Wendt reviewed the conditions of approval.

Mrs. Corkrum asked where is the ADA ramp. Mr. Wendt said that's something they will have to work on with our office. Mr. MacPherson said it is in the conditions of approval. We looked at it from the standpoint of getting land use approval first and as part of that, we will require bringing the building up to standards.

Mr. Koch asked on condition #3, is this breezeway going to be 14 feet in the air and have a 20-foot clear space for fire apparatus use? Mr. MacPherson said that's a good question. It might turn out that they might not be eligible for a breezeway at that point. He said the separation between structures can be reduced with an approved firewall. Mr. Koch said if they require a 20-foot area for a vehicle, any kind of a walkway is going to have to be 14 feet in the air. Mr. Wendt said basically this building will be attached to the other building. If they become attached, then this building and the other building will have a 20-foot area around them. Mr. Wendt said we didn't take into account the future addition.

Mrs. Corkrum asked would it be appropriate to go to a closed record public hearing and have some of these details worked out? Mr. Koch said either that or they will have to modify the breezeway. Mr. MacPherson said if you'd like we can go to a closed record hearing and have our fire official re-evaluate that or speak with the applicant and see if they are still planning on putting in a breezeway.

Mrs. Corkrum thinks we need to clarify it. Mr. Koch said he thinks we need to clean it up for the future. Mr. Miller agreed.

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**Motion** – Mrs. Corkrum: I move that we send this back to the Planning Department and request a closed record public hearing. Second by Mr. Miller. 3:0 vote in favor.

In response to Ron Reiman's question, Mr. MacPherson said any mobile structures that aren't residences like a manufactured home require a public hearing before the Planning Commission. Mr. Wiswall asked if a temporary structure requires a permit for periods of construction. Mr. MacPherson said no.

Public Meeting: Conditional Use Permit CUP 2007-17, an application by Tracy Mullen for a conditional use permit to operate a bed and breakfast facility. The facility will include an area to lodge travelers and a landscaped area for banquets, receptions and weddings. The site is 4.9 acres in size and is located in the AP-20 Zoning District.

Public Meeting convened at 10:59 am. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; Planner Jeremy Underwood; and Clerk to the Board Mary Withers. Present in audience: Walt Neff, Butch Wiswall, Ron Reiman, Ralph Thomsen and Reid Reiman.

Mr. Wendt reviewed the information on the Action Summary (Exhibit 9).

Mr. MacPherson showed a copy of the 2004 aerial photographs with parcel overlay on the screen. He said the property is in an area that is designated as an Agricultural Service Center which allows a multitude of activities, either outright or by conditional use permit. The property is zoned Ag Production 20 (AP-20) within the Agricultural Service Center.

Mr. MacPherson showed another site plan which shows the landscaping plan.

He showed another site plan showing the proposed parking.

Mr. Wendt said the Planning Commission considered the requirement of getting fire apparatus vehicles into the back pasture. There are certain times of the year when irrigation could make the ground soft. One requirement on Condition of Approval 8d is either to build a gravel driveway next to the barn and into the back pasture or to work out an agreement with a neighboring property owner to leave an area open with a large gate and work out some access agreement.

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Mr. Wendt reviewed the other conditions of approval.

Mrs. Corkrum asked, there was nothing in the public hearing at the Planning Commission that talked about outdoor food receptions and then possibly that circle sprinkler that's north or east of them, about what if they would be spraying that field? Was there any kind of concern? Mr. MacPherson said there was a discussion of spray and it focused more on people's fear of crop dusters. They felt the landowner could work it out with adjoining property owners.

Mrs. Corkrum asked if the current owners of the airstrip that used to be Carr Aviation are doing that same business. Mr. MacPherson does not know who the current owners are or what they call the business. It's gone through several names. Mr. Wendt said the Planning Commission members knew it is still an active airstrip.

Mr. Miller asked who owns the circle on the side? Do you know? Mr. Wendt said he thinks Premiere Properties owns most of the land. Ron Reiman told the name of who he believes is purchasing the land.

Mrs. Corkrum said she wants to explain to the audience: I don't have a relationship but Tracy Mullen is married to my ex-son-in-law and I don't want to appear sour grapes but I do have a concern with this type of business in the middle of farming. Where will it stop? This is rural. You talked to me about this being a rural settlement area, but everything out there is all geared to farming.

**Motion** – Mrs. Corkrum: I just feel, Mr. Chairman, that I would like to request a closed record public hearing to get more input.

Mr. Koch said I have some questions and concerns also. He said, unfortunately, I misread the public meeting. We can't take public testimony at all. He said because you weren't at the Planning Commission meeting (referring to Walt Neff), we can't take new testimony.

Mrs. Corkrum asked would that preclude them signing a petition?

Mr. MacPherson said they can sign it but it cannot be accepted. He explained some of the law regarding the process.

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Mrs. Corkrum said maybe we need to go above and beyond what the law requires us for notification because you get out on the Kahlotus Highway and your nearest neighbors could be 10 miles away but they're your neighbor. Mr. MacPherson said the law requires notifying everyone within 300 feet. He said years ago, the Planning Commission said that was not even acceptable for the urban area so Franklin County notifies everyone within 500 feet in the urban areas and within one mile in the rural areas. Mrs. Corkrum said the one mile is not even enough in the dryland area.

Mr. Koch asked the planners to address that distance requirement in the future.

Mr. Koch said I'm having a hard time as far as someone moving into an area that has been historically used and all of a sudden they came in secondhand and now they're upset with the original uses. I would like to put something in that if it did get passed, there would be no repercussions as far as that airstrip being used. Mr. MacPherson said it is a right-to-farm county and has ag zoning. Airstrips are a conditional use in the ag zone but it's been there forever and the right to farm does protect people from losing lawsuits but does not prevent people from filing lawsuits.

Ron Reiman asked if that property is open space. He asked did the Planning Commission consider the three reasons of open spaces? Mr. MacPherson said we can't consider this. Ron Reiman left the meeting.

Mr. Miller said I believe in the entrepreneurship and the promotion of ag tourism but my first priority is the protection of ag. I would like some more information on this too.

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

Mr. Wiswall said the other existing business is a seed cleaning business and prevailing wind (he indicated with his hands) -- The other thing to think about is the airstrip is paved partly but partly not. There's dust that comes up.

Ralph Thomsen said explain to me why you can only testify one time. Mr. MacPherson said that's what the law allows. The law says notify only 300 feet but the county chooses to notify for one mile.



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Butch Wiswall said we all use the air provider for spraying. I'm 20 miles away from him but I still use him.

Walt Neff said I'd like to make a point here. This pasture will have gazebos -- Well, his pasture butts up against Jerry Titus' shed less than 300 feet (right next to it) where he houses all his chemicals and products. Mr. Neff said, "I called him this morning and he did not know anything about it. There's a lack of communication." Mr. MacPherson asked is he the owner of the property? Mr. Neff said yes. Mr. MacPherson said then he was notified by mail. We're required to notify by mail and we post it in the Franklin County Graphic and the Tri-City Herald.

Someone in the audience said the current business is called Air Trac.

Reid Reiman said the other businesses with conditional use permits are for businesses that are for direct agricultural uses. He thinks there are other places that this type of business would be better sited.

Mr. Wendt said we'll be doing a zoning code update in the next few months. The distance requirement for notification can be addressed during that update process.

One of the men in the audience said whether or not we get the chance to testify, there is going to be litigation.

Butch Wiswall said, "Take care of our taxpayer money."

**Recessed** at 11:36 am.

**Reconvened** at 11:49 am.

**COUNTY ADMINISTRATOR**

County Administrator Fred Bowen met with the Board.

Stair Treads

Mr. Koch asked Mr. Bowen to get the cost of stair treads for a stairway in the courthouse.

**MINUTES**

**Motion** – Mrs. Corkrum: I move we approve December 31, 2007, Commissioners Proceedings and for January 2, 2008. Second by Mr. Miller. 3:0 vote in favor.

**Adjourned** at 11:51 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until January 9, 2008.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

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Chairman

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Chairman Pro Tem

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Member

Attest:

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Clerk to the Board

Approved and signed January 9, 2008.