

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

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

OFFICE BUSINESS

Secretary Patricia Shults met with the Board. Present in audience: Tri-City Herald Reporter Joe Chapman.

Consent Agenda

Motion – Mrs. Corkrum: I move for approval of the January 16 consent agenda as follows:

1. Approval for the Board to sign Certificates of Appreciation recognizing Marie Schultz and Kathy Butterfield for their valued hard work and dedication to the Franklin County Treasurer's Office. (Exhibit 1)

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

Vouchers/Warrants

Motion – Mr. Miller: Mr. Chairman, I move that we accept the 2007 vouchers in the amount of \$62,892.85 as listed: Current Expense warrants 61066 through 61086 for \$28,845.47; FC RV Facility warrants 408 through 413 for \$5207.30; Grand Old 4th warrant 173 for \$8.32; FC Capital Projects warrants 355 and 356 for \$12,080.11; Clerk LFO Collection warrant 30 for \$278.81; Current Expense warrants 61087 through 61091 for \$7288.50; Solid Waste warrant 2341 for \$296.19; Current Expense warrants 61092 through 61107 for \$8849.94; and Crime Victims warrant 390 for \$38.21. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 2)

Motion – Mr. Miller: Mr. Chairman, I move for approval of Veteran's Assistance warrants 1377 through 1381 for \$450.00 as listed. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 3)

Minutes

Motion – Mrs. Corkrum: I move approval for Commissioners Proceedings for January 9, 2008. Second by Mr. Miller. 3:0 vote in favor.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board. Also present: Treasurer Tiffany Coffland and staff member Anna Moffatt. Present in audience: Tri-City Herald Reporter Joe Chapman.

Executive Session at 9:16 am expected to last 10 minutes based on RCW 42.30.110(1)(i). Mr. Chapman left the meeting.

Open Session at 9:32 am. Ms. Coffland and Ms. Moffatt left the meeting.

Joe Chapman, Dobie and Julie Burns, and a cameraman/reporter joined the audience.

Agreement with Pasco School District: Cost-Sharing for Appraisal Services

Mr. Verhulp asked for approval of an agreement for cost sharing for appraisal services related to the county's park property at Road 48 that is currently used as a soccer field.

Motion – Mr. Miller: I move that we accept Resolution 2008-025, agreement between Pasco School District #1 and Franklin County regarding cost-sharing for appraisal services. Second by Mrs. Corkrum. 3:0 vote in favor.

FIREWORKS

Dobie Burns met with the Board. Present in audience: Julie Burns, Joe Chapman, a photographer/reporter, and Ryan Verhulp.

Mr. Burns said he thinks the county ought to consider legalizing fireworks. For one thing, it's a family tradition to let fireworks off on the 4th of July. It kind of feels un-American to not allow them. Disallowing fireworks encourages adults and kids to break the law. I want to teach my kid to be responsible and let fireworks off responsibly in a safe way. I know there are families out there that don't allow that. I feel that it would be good income for the county to allow these fireworks and tax them. If the county thinks there's going to be a disadvantage of income, for fire or whatever other reasons, tax them. Put a high tax on them. I'm sure the people will pay it. I know I would.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

Mr. Koch said we can't put a tax on it without going to a vote anymore since some of the tax initiatives have been passed in the state. We can't just add a tax to anything without going to a vote. Unfortunately -- I've been in the fire service for twenty-some years in the north county and not everyone is as responsible as you are. We have so much dryland area in Franklin County and July and August are the worst months of the year. He told Mr. Burns you've been around the farm all your life; you know what it's like at that time of year. Mr. Koch said he has looked at some RCWs. He said the RCWs for the state say it is legal to sell fireworks in December for New Year's and he could go along with that but he personally is against the fireworks in July.

Mr. Burns asked can you light them off on New Year's? Mr. Koch said yes. He said we could do something legally to allow for sales and lighting them off. The dates in the RCWs allow legal sales from December 27 through January 1 and setting fireworks off on New Year's.

Mrs. Corkrum said she assumes because of where Dobie lives, if he did fireworks that he would set them off over the river. Mr. Burns said yes, or out in the field. All our fields are irrigated. Mrs. Corkrum said there are some pretty expensive homes out there. Mr. Burns said if we're doing it out in the field there's no way it's going to get close to a home, even if it goes over a little.

Mr. Miller told Mr. Burns that earlier he couldn't agree with you more on this until I started talking to firemen. The firemen told him they don't want the fireworks to be legal. Mr. Miller said when he was growing up he shot them off on the 4th of July. Mr. Miller said I would wish and hope because you live on the river that there's some way you can do it but he is concerned about having fireworks in the dryland area. He said it's a tradition and it is American; it's what we do. But I think because of safety it's hard to pass this and allow it.

Mrs. Corkrum said she thinks we've had this ordinance in effect since 1948. She said when there was a problem with grass fires and it was so dangerous, we started looking at prohibiting fireworks. At that time, we found our ordinance was in place already. I just worry about it because this is the driest part of the year in Franklin County.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

Mr. Koch asked could you work with using fireworks during the New Year's time and still enjoy the fireworks? Mr. Burns said maybe. He said it's still not the 4th of July. I consider myself a very good patriotic American on that deal.

Mr. Koch said unfortunately not everybody is as conscientious as you are. Probably 70% of our county is dryland and that's where the problem comes in.

Julie Burns asked what if we brought it up to a vote in the county? Can we do that? Then you could see citizen-wise what people wanted. I understand the safety but there are counties all over the place that have the same issue. Mrs. Burns said I understand your safety reasons and people need to be responsible for that issue and have that as part of actually doing it. You have responsible people; you have irresponsible people. Have the irresponsible people pay. Maybe you could have taxes up for a vote also, to tax them to go through with it so that can pay for the costs of the fire department, the police department, and anything else you want to use.

Mr. Burns asked if it would be similar to the so-called sin taxes on alcohol and tobacco. Mr. Koch said the Federal government can do those taxes.

Mr. Miller and Mrs. Corkrum said the state legislature would have to handle it because the state allows fireworks but in our particular case in this county, we just felt it was prudent to not allow fireworks, not because we're not patriotic but because of the danger and the man-hours it takes to fight these fires.

Mr. Koch said Connell was probably one of the last ones to shut fireworks off because for the Lions Club, it was probably one of the largest fundraisers of the year. However, the Lions Club even agreed with the city council that fireworks should be banned.

Mr. Burns thinks in this neck of the woods it's all irrigated land. Mr. Koch asked how do we separate it? If we sell any place in the county and fireworks are sold in other counties and on Indian reservations and they are still brought into the county -- It's a matter of trying to enforce it which is a burden.

Mrs. Corkrum said maybe we could research it and see if fireworks could be allowed on a permit basis with some kind of a liability basis involved, like event

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

insurance, that if a fire did start, it would pay for the fire costs for whatever fire district would be responsible to put out the fire. She said but right now, she just personally doesn't see where we could open it up. She said when her husband was active as the advisor for Demolay, selling fireworks was one of their biggest moneymakers.

Mr. Burns said it just seems kind of silly because I was on the fire department, too. They'd pay you to come down there and sit. If there were fireworks, then they'd have a reason. He thinks they still pay people to go down there and sit there on the 4th of July.

Mr. Koch said you've got to look at the north county again because it's a volunteer fire department up there period. For instance, the City of Connell's fire budget is \$32,000 a year and they've got a truck sitting there worth about \$400,000 so the revenue isn't there for small departments to pay for on-duty people. He said I enjoyed fireworks too and I bought them. If we could separate the county somehow and have some teeth in it, I could maybe be more agreeable, to keep it on the irrigated side.

Mr. Miller said maybe what Neva's saying is one way to do it: get a permit and -- Mr. Koch said people aren't going to get a permit. Mr. Miller said Dobie might. Mr. Koch said Dobie might, yes, and I might and you might but others are not going to do it. If they can buy fireworks someplace in town, they're not going to get a permit.

Mr. Miller said selling them might be different than actually having a permit.

Mr. Miller said in response to Mrs. Burn's suggestion about putting it on the ballot, it could be expensive, unless there are a number of them that really ask us to do it.

Mrs. Corkrum said maybe another way would be to do a petition. Mr. Burns said he thought that might be the next direction. Mr. Koch said our hands are tied in some things. Mr. Burns said I can understand that.

Mrs. Burns said I like the permit process, even though you say a lot of people won't get one. She said a lot of people right now don't get a permit and they're still shooting off illegal fireworks in the city and county. At least you'd have some money to go back and have insurance. You'd at least have more responsible people teaching children how to do it safely. To her, it's not fair that children today can't do it and learn

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

how to do it safely. Now they're going to end up hurting someone. We can light them off towards the river or whatever. I would like to teach my children how to do it safely.

Mr. Burns gave the Board a paper about his reasons for wanting to legalize fireworks (Exhibit 4).

OTHER BUSINESS

Coroner Dan Blasdel met with the Board.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board. Present in audience: Coroner Dan Blasdel and Tri-City Herald reporter Joe Chapman.

Sheriff's Office

A report was reviewed about an accident that occurred on January 14, 2008, involving a sheriff's vehicle. It was a new car with around 9000 miles on it. The Public Works shop is doing an assessment on the car.

Basin City Water and Sewer District

Mr. Bowen gave the Board an update on the Basin City Water and Sewer District. The district had planned to purchase existing water and sewer systems from the owner but the owner has wavered back and forth regarding whether he is going to sell the systems. The money that the county has available came from .08 funds that has to be spent before December 1 or it reverts back to the county. If the owner is not going to sell, we will get into an arbitrage situation. If the county has to take the money back, then it has to be spent within six months. Mr. Bowen said we've done everything we can for Basin City. They've had a CDBG planning grant; the county has contributed \$10,000, and they have set \$800,000 aside for purchasing the sewer system.

Mrs. Corkrum asked if we take the \$800,000 back, can we put that to a new project? Mr. Bowen said yes. We identified a \$3 million need for an upgrade for TRAC. It will take all of six months to get plans prepared and put it out for bid and constructed because the county is obligated to get the money spent by December 1.

Mr. Bowen would like to send a letter to the Basin City Water and Sewer District stating they have until June 1 to use the money on the purchase of the system.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

Mrs. Corkrum would prefer that the money go to the sewer and water system because they need it so desperately but she can see why it would need to come back to the county if that is not possible.

Mr. Bowen said the Basin City Water and Sewer District board members have been working on it since 2006. They are just as frustrated. They want the growth. It would be good for the community but the man who owns the system is not willing to sell it. Mrs. Corkrum asked can you go ahead with the sewer system? Mr. Bowen said the problem is the owner wants \$1.5 million and the system has already used up half its life and it's not worth that. To buy a sewer system is not really going to help Basin City at this point; it's the water that is needed.

Mrs. Corkrum asked would \$800,000 build a new water system? Mr. Bowen said they would have to go through water permitting to get the Department of Ecology to give them water permits. Mrs. Corkrum asked is there some way that the state could help Basin City out by eminent domain or some other means? Mr. Bowen asked do you mean condemnation? Mrs. Corkrum said yes. Mr. Bowen said that is quite a lengthy process.

Mr. Bowen said the owner has always wanted \$300,000 for the water system but now he's saying if you want to buy the water system, now I want to sell the irrigation system also which is an additional \$200,000. The water and sewer district members told Mr. Bowen the district absolutely cannot own an irrigation system but Mr. Bowen has asked them to check with their attorney to make sure.

Mr. Bowen emphasized that he would not suggest you take the money back if the county wasn't going to be put in a bind pretty soon.

Mrs. Corkrum said we can't jeopardize our bonding capacity.

Mr. Koch said the owner would know probably 45 days before the June 1 date if there are negotiations or not so that would give us a little more head time to start heading another direction if necessary.

Mrs. Corkrum asked Mr. Bowen if he would have to set up another meeting with the group that considers the county's Economic Development Plan. Mr. Bowen said no, they had already approved the Economic Development Plan and it's just diverting one to

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

another. He feels putting the money towards TRAC would be the most logical place to put the money. According to the state auditor, if it's in our Economic Development Plan, it's okay.

The Board **gave approval** to send a letter to the Basin City Water and Sewer District.

Interfund Loan to Public Works to purchase Connell shop

Mr. Bowen asked for approval of a five-year interfund loan for \$246,737.25 at an interest rate of 4.46% that will be paid back over the next five years. This year Public Works will pay us \$50,000 in January and in December will also make a \$45,000 payment. There are six payments instead of five. About \$27,000 worth of interest will be accrued to Current Expense for the duration of the contract. The amortization rates were reviewed.

Motion – Mr. Miller: Mr. Chairman, I move that we accept Resolution 2008-026 for the interfund loan from 2008 Miscellaneous Expense Cumulative Reserve Fund #100-000-001 to the Miscellaneous Expense County Road Fund #150-000-001. Second by Mrs. Corkrum. 3:0 vote in favor.

Sewell and Associates

Mr. Bowen asked for approval to pay an additional amount to Sewell and Associates for work they have done for the Basin City Water and Sewer District using the interest that has accrued on the funds in the account. The Board **gave approval** to pay the additional amount.

CORONER

Coroner Dan Blasdel met with the Board. Present in audience: Joe Chapman.

Salary Increase

Mr. Blasdel thanked the Board for approving an increase in pay for himself and Deputy Coroner Mavis Williams.

Car Repair

Mr. Blasdel gave the Board two estimates for the pickup he drives to replace the engine with a long block. The estimate to fix the blown head gasket was about \$1500.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

The Board asked Mr. Bowen to find a source of funds to fix the pickup with the work to be done at the Public Works shop.

PUBLIC WORKS

Mr. Koch said the bid opening that was scheduled for January 16, 2006, is not going to happen today because a glitch was found in the bid last night so the bid opening will now occur on January 22 at 10:45 am. He said the Public Works Department has notified the bidders.

Recessed at 10:20 am.

Reconvened at 11:02 am.

PLANNING AND BUILDING DEPARTMENT

Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; Planner Jeremy Underwood; and consultant Mike Corcoran met with the Board.

Public Meeting/Public Workshop: Amendments to the Franklin County Growth Management Comprehensive Plan 2007

The Board was given a paper regarding the proposed update (Exhibit 5).

Mr. MacPherson said we're trying to finalize the 2005 comprehensive plan to be in full conformance with the 2007 GMA requirements. We hired Mike Corcoran to assist us with that.

Mr. Corcoran told about his review of the plan and the changes and corrections that have been made from the previous plan. The plan has been sent to the state for a 60-day review.

Prosecutor Steve Lowe joined the audience.

Mr. MacPherson said we contacted each of the cities and had them go through a process to evaluate their existing urban growth boundaries and either to propose the urban growth boundaries (UGBs) be enlarged, reduced, or leave them as they are. We received two requests:

The City of Kahlotus requested a reduction in the size of their urban growth boundary. He showed the proposed boundary for the City of Kahlotus on the screen. The proposal basically comes in line with the bluff of the coulee walls on the south, west and

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

north. On the east side, there is no water in Lake Kahlotus at this time but the state still shows it as a lake. The City of Kahlotus has proposed a reduction on the east side back to the existing city limits. We have a letter from the Kahlotus City Council requesting a reduction.

The City of Pasco sent a proposal to increase their existing boundary that includes two reports (Exhibit 5). Mr. MacPherson showed the proposal on the screen and the existing boundary. The City of Pasco also worked with a consultant to determine what they would need for growth for a 20-year period and worked with the Public Works Department to determine where most the appropriate places would be to expand services. The area that has been designated is basically the west portion of the existing boundary between Road 68 to Road 100.

Mr. MacPherson and the Planning Commission and other staff members have read the reports. They didn't see anything out of line with the City of Pasco's request. The City of Pasco justified their numbers. It makes sense because some of that area is already urban in nature.

Mr. Bowen asked how often has the City of Pasco come in and asked that the boundaries be expanded? He said if you did all of the urban growth boundaries that they have requested over the last 10 or 20 years and overlaid them one over another, there may have been some areas they have not done anything in that period that they said they would. Did they actually fulfill that space they said they needed?

Mr. MacPherson said the boundary has only been in place for about 12 years. The boundary used to go up the river about six miles. The City of Pasco felt they realistically could not service that area so they requested a reduction in 2005. Mr. MacPherson showed various areas on the screen and told areas that are currently pre-platted or under development and areas that are commercial in nature.

Mr. Lowe asked where are the county islands? There is still development of services that needs to be provided in the west Pasco area. He thought urban growth area management plan required filling in before increasing.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

Mr. MacPherson said the Growth Management Act (GMA) says you have to provide an area large enough to accommodate 20 years' growth. We're not talking annexation. Mr. MacPherson said his personal opinion is that the city should have to put in sewer and water to all areas. Mrs. Corkrum asked isn't there a way we could put that in our statements to the state reviewers? Mr. MacPherson said the intent is there but it is not required. He does not know that there is anything that can force them to do it.

In response to Mr. Miller's question, Mr. MacPherson said the UGB is a joint area for future land use. We're in control of it but our zoning is in adherence with the City of Pasco's land use map.

Mr. Lowe asked is there a reason that the Clark Addition is not in their 20-year plan? Mr. MacPherson said the City of Pasco felt they couldn't provide services based upon topography. They have approved preliminary plats that they are not able to provide service to based on topography that are close to Clark Addition and already in the UGB.

Mr. Lowe said in 20 years the growth is going to get out there. Those services will need to be provided whether it's cost-efficient or not.

Mr. Wendt said the Kau Trail area is similar. The City of Pasco is proposing to include it.

Mr. Lowe said there has to come some point where the county will have to put some infrastructure into Clark Addition and the county is not designed to do that. Mr. Corcoran said the Clarktown Water Association is putting a new water system in now with the assistance of the county and the state. Mr. Lowe said the point of urban growth boundaries is for planning. Mrs. Corkrum said Clark Addition should have been in the UGB originally but the City of Pasco didn't want it. Mr. Lowe said that's his opinion also.

Mr. Lowe said we know that the value of the land along the river is more expensive than the five-acre low income property.

Mr. MacPherson said the county commissioners have the final say.

Mr. Corcoran said one advantage is having less travel time going back and forth to work and an urban center at Road 68 to service the area.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

Mr. Lowe said we're talking twenty years, not five or ten years.

Mr. MacPherson said the area has to be big enough to accommodate the 20-year population estimate. Mr. Lowe asked which growth projections are you using?

Mr. MacPherson said we're required to use state Office of Financial Management (OFM) numbers that they provide us, which have just been revised.

Mr. MacPherson said he agrees that Clark Addition should be in the UGB in some fashion. Mrs. Corkrum said it should be a bargaining chip. Mr. MacPherson said the county commissioners can set the boundaries. You can include Clark Addition if you so desire and the area they recommended that they put in but there's a possibility that someone could say your boundary is too large to accommodate the UGB area.

Mr. Corcoran said you might want to wait until Clark Addition gets the well and water system built. He thinks it has to be a rural area to qualify for the funds. They may start the process to construct this month or next month.

Mr. MacPherson said one argument that could be used as rationalization is that Clark Addition is pretty much a built-out environment. We're not utilizing it as vacant land to accommodate growth; it's a built environment. But there are some areas to get to it from the current boundary. There are a quarter mile and a half mile separation which goes towards acreages that are vacant currently.

Mr. Wendt said the population projections are on page 60 of the draft proposal. Mr. Corcoran said the provisional population numbers have changed.

Mr. MacPherson said obviously the City of Pasco wants the more desirable areas and they made their justification based on that; that does not mean the county has to go with that. He said can you include Clark Addition? He said sure. He said would the city like it? He doesn't know. Mr. Lowe would say no. Mr. MacPherson said are they going to fight it? He doesn't have a clue. He said is anybody going to say anything and challenge our justification? Mr. Wendt said they have gone through a formal process for their water and sewer plan.

Mrs. Corkrum said she heard Mr. Corcoran say that might foul up the grant for the rural settlement for a water system.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

Mr. MacPherson said the county is required to review the UGB at least every seven years. Franklin County has a policy saying cities can't request a change more than once a year but the county has to do it at least every seven years.

Mrs. Corkrum said we have to have some bargaining chips for the next push for urban growth boundaries and we need to be relieved of the responsibility of Clark Addition. By that time the water system should be up and running. Let's face it, they don't want that property for one reason: they don't want to have to patrol it.

Mr. MacPherson said there is nothing that says the county consider it in one year.

Mr. Bowen would like to see a map that shows where city boundaries are within the urban growth boundary area.

The comment was made that portions of the Riverview area are being developed but not provided the opportunity for water and sewer.

Mr. Koch said any change is a moot point now until water and sewer work is finished.

Mrs. Corkrum asked at some point couldn't we include Clark Addition?

Mr. MacPherson said yes, we would just have to put together a good rationale.

Mr. MacPherson has talked with Pasco City Manager Gary Crutchfield about the city providing sewer in the UGB. Mr. Crutchfield told him he felt maybe the county and city could enter an agreement. The Board members said Mr. Crutchfield has been saying that for years but has not acted to finalize such an agreement.

Mr. Wendt said there is a land use breakdown chart in the comp plan draft on pages 93 and 94. This has been expanded on as part of this update. He said population estimates will be prepared for each one of the areas as a long-range planning tool to help us figure out the acreage needed for the rural lands.

Mr. MacPherson pointed out a site-specific portion on the east side of the proposed UGB where two homes are currently in an area zoned industrial. The boundary change would allow them to be in the ag zone instead.

Mr. MacPherson said this meeting today is just a workshop. We can hold another public workshop to evaluate the state's findings or go straight to adoption. Mrs. Corkrum

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

said we can decide that after we receive the state's report. Mr. MacPherson thinks another workshop would be a good idea prior to finalizing it.

VOUCHER/WARRANT

Motion – Mrs. Corkrum: I move we approve warrant 1060 for Law Library for \$160.

Second by Mr. Miller. 3:0 vote in favor. (Exhibit 7)

Adjourned at 11:54 am.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for January 16, 2008

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until January 22, 2008.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed January 30, 2008.