

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceedings for December 16, 2009

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

Present in audience: Tri-City Herald Reporter Kristi Pihl.

OFFICE BUSINESS

Secretary Patricia Shults met with the Board.

Consent Agenda

Motion - Mr. Peck: I move for approval of the consent agenda for December 16, 2009:

1. Authorizing the Chairman to cast an affirmative vote for John Bell to be reappointed to the Fire Specialist position on the Mid-Columbia Building Appeals Commission for a five-year term expiring December 31, 2014.
2. Approval of **Resolution 2009-492** reappointing Beryl Dawkins to serve a two-year term on the Aging and Long Term Care Advisory Board, with said term expiring December 31, 2011.
3. Approval of **joint Resolution 2009-493** authorizing the Chairman of the Boards of Benton and Franklin County Commissioners to sign the County Program Agreement, Amendment # 0963-68016-01, between the Benton and Franklin Counties Department of Human Services and the Division of Behavioral Health and Recovery Services Administration, Division of Alcohol and Substance Abuse (DASA), to provide chemical dependency prevention treatment and support services, effective October 1, 2009, through June 30, 2011. (Exhibit 2: Agenda Summary Report.)

(Clerk's Note: Original DSHS Agreement (0763-20236) was approved via Resolution 2007-480, with four amendments thereafter, with a termination date extended through June 30, 2009. Franklin County PA approved as to form a bridge contract (**0963-68016-00**) extending the term for an additional three months (7-1-09 through 9-30-09). The bridge contract was sent to Benton County PA in August but has not been approved by either Board. Amendment 1 is a whole new contract but DSHS considers it an amendment due to the contract number changing from year 2007 to 2009.)

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4. Approval of **joint Resolution 2009-494** authorizing the Chairman of the Boards of Benton and Franklin County Commissioners to sign Agreement Number BENFR-MHBG-09/10-00 between the Benton and Franklin Counties Department of Human Services and Greater Columbia Behavioral Health for Mental Health Block Grant funding to provide services to promote recovery for seriously mentally ill adults and resiliency for seriously emotionally disturbed children, effective October 1, 2009, through September 30, 2010. (Exhibit 3: Agenda Summary Report.)
5. Approval of **Resolution 2009-495** reappointing Kim Empey to the Franklin County Mosquito Control District Board of Trustees for a two-year term, representing Commissioner District 3, effective January 1, 2010, through December 31, 2012.
6. Approval of **Resolution 2009-496** for the 2010-2011 Agreement between Franklin County and the City of Mesa for the Franklin County Sheriff to provide police protection and law enforcement within the corporate limits of the City, with said agreement expiring on December 31, 2011.
7. Approval of **Resolution 2009-497** for the 2010-2011 Agreement between Franklin County and the City of Kahlotus for the Franklin County Sheriff to provide police protection and law enforcement within the corporate limits of the City, with said agreement expiring on December 31, 2011.
8. Approval of **Resolution 2009-498** rescheduling the regular meeting dates for the Board of Franklin County Commissioners on each Wednesday commencing January 6, 2010, excluding holidays or cancellations, and rescinding/superseding Franklin County Resolution No. 53-134.
9. Approval of "Just Compensation" for CRP 581 Pasco-Kahlotus Road 1 – Overlay and Widening (Exhibit 4).

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

Planning Director Jerrod MacPherson joined the audience.

Vouchers/Warrants

Motion – Mr. Peck: I move approval of Salary Clearing payroll in the total amount of \$553,213.36, Emergency Management payroll in the total amount of \$11,684.35, and Irrigation payroll in the total amount of \$9954.54:

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Salary Clearing payroll warrants 49831 through 49937 for \$173,480.52; warrants 49938 through 49943 for \$68,036.22; and Direct Deposit for \$311,696.62;

Emergency Management payroll warrants 26147 through 26153 for \$3091.24; warrants 26154 through 26157 for \$1357.60; and Direct Deposit for \$7235.51; and

Irrigation payroll warrants 26158 through 26173 for \$8590.72; and warrants 26174 through 26177 for \$1363.82.

Second by Mr. Miller. 2:0 vote in favor. (Exhibit 5)

Minutes

Motion – Mr. Peck: I move approval of Commissioners Proceedings for December 7, 2009, and acknowledge that Commissioner Koch is serving jury duty this morning and further authorize that he be permitted to sign these minutes upon his return. Second by Mr. Miller. 2:0 vote in favor.

COUNTY ADMINISTRATOR (9:23 am)

County Administrator Fred Bowen and Planning Director Jerrod MacPherson met with the Board.

Fire Marshal

Mr. MacPherson reported the state fire marshal will not provide fire investigation for local jurisdictions. RCW 43.44.050 was reviewed. Mr. Miller gave direction to staff to check with the sheriff and other counties and cities.

PLANNING AND BUILDING DEPARTMENT

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

Public Meeting: Zone Change ZC 2009-02, to review the Planning Commission recommendation for ZC 2009-02, an application by Homestead Land Holdings, LLC, for a zoning designation change. Said application is to rezone approximately 34.65 acres from the current designation of Rural Community 5 (RC-5) to Rural Community 1 (RC-1). The land is located within the Rural Settlement Area known as Merrill's Corner as identified by the County Comprehensive Plan.

Public Meeting convened at 9:37 am.

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Present: Commissioners Miller and Peck; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. Present in audience: Kristi Pihl, Ryan Verhulp and Tim Fife.

Mr. Wendt reviewed the information on the Action Summary (Exhibit 6).

Mr. MacPherson gave some history of the Merrill's Corner area prior to Growth Management being put in place. This application meets the specific criteria in the Comprehensive Plan to be designated a Rural Settlement Area. The purpose of a Rural Settlement Area is to allow a mixture of lot sizes and uses within the boundary.

Motion – Mr. Peck: Mr. Chair, having heard the presentation and already read this at least a couple of times, I move we grant approval of Zone Change application ZC 2009-02 subject to the five findings of fact. Second by Mr. Miller. 2:0 vote in favor. This is Ordinance 8-2009. Mr. Miller said I've also read it and agree. It was very well presented.

PUBLIC WORKS (9:46 am)

Engineer Tim Fife met with the Board. Present: Ryan Verhulp and Kristi Pihl.

City of Pasco Request

The Board discussed the City of Pasco's request for Franklin County to recommit to provide \$75,000 for the levy project in the vicinity of the Erwen Trust property (Road 54). The county's previous letter of commitment is dated July 20, 2005 (see Exhibit 8 papers). Mr. Fife answered the Board's questions about funding availability and sources, estimated timelines, reasons for the request, park development planning, and land transfers. No action was taken.

A man joined the audience.

Southeastern Washington Rural Arterial Program (RAP) Meeting Discussion

Mr. Fife gave a report on the recent Southeastern Washington RAP meeting he attended. The Board directed him to draft a letter of response.

PROSECUTOR (10:08 am)

Chief Civil Deputy Prosecutor Ryan Verhulp, Engineer Tim Fife and Planning Director Jerrod MacPherson met with the Board.

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Executive Session at 10:08 am regarding potential litigation expected to last up to 10 minutes based on RCW 42.30.110(1)(i) regarding CRP 593. (Two people in the audience left the meeting.)

Executive Session continued at 10:19 am expected to last 10 minutes.

Open Session at 10:30 am.

Kristi Pihl, Ed Thornbrugh, Max Benitz and others joined the audience.

COUNTY ADMINISTRATOR (continuing)

Out-of-State Travel

The Board reviewed a request for out-of-state travel for Mr. Bowen and TRAC Manager Troy Woody to attend the Western Fairs Association Conference. Mr. Peck stated the county is seeking ways to secure profit-making bookings for TRAC in between regular recurring events that we have. The Board **gave consensus approval** of the out-of-state travel for Mr. Bowen and Mr. Woody. Mr. Bowen said Commissioner Koch is also in favor.

Information Services Personnel

Information Services has requested approval to replace a vacated computer technician position. The position has already been approved for the 2010 budget. Mr. Bowen said it is needed. Mr. Peck gave approval. Mr. Miller asked you're sure this position is needed, that if it were not filled they could not do the services? Mr. Bowen said yes, this position is needed. It will provide services to Dispatch for 911 as well as county-wide. The Board **gave approval** for refilling the position.

LifeQuest (10:37 am)

LifeQuest purchased 10 acres of land from the county and has developed three acres. The conditions of the sale were that the property could only be used for sporting-type facilities. An individual has contacted LifeQuest about putting a paintball park in the remaining seven acres. Other activities are also being considered. The land is now in the incorporated area of the City of Pasco. LifeQuest is requesting approval to use a portion of the county's six-acre parking lot for overflow parking.

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Mr. Peck wants to see a map to see whether there is any impact and to review the area that Ben Franklin Transit uses for parking before making a decision.

Executive Session at 10:40 am regarding contract negotiations based on RCW 42.30.140(4) expected to last 10 minutes.

Open Session at 10:51 am.

Adjourned at 10:51 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until December 21, 2009.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed December 30, 2009.