To: Franklin County Commissioners and Planning Department
OR WORK IN FRANKLIN COUNTY

We the undersigned residents of Franklin County, request that the County construct a road between Vineyard Drive and Foster Wells Road as there is need for a road there. One special need at this time is for farm equipment to avoid using U.S. Highway 395, and when the Foster Wells addition is complete that need will be greatly increased. Traffic through the proposed route currently causes contention between neighbors because of damage to crops due to a lack of a developed road. Legal access is not available to some of the properties along this route at this time. The attached map shows the location of the proposed new road.

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To: Franklin County Commissioners and Planning Department on மூர் பட சொல்கள் வேரை

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To: Franklin County Commissioners and Planning Department

We the undersigned land owners in Franklin County, request that the County construct a road between Vineyard Drive and Foster Wells Road as there is need for a road there. One special need at this time is for farm equipment, to avoid using U.S. Highway 395. Traffic through the proposed route currently causes contention between neighbors because of damage to crops due to a lack of a developed road. Legal access is not available to some of the properties along this route at this time. The attached map shows the location of the proposed new road.

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FRANKLIN COUNTY PUBLIC WORKS DEPARTMENT

Matt F. Mahoney, Public Works Director Matthew S. Rasmussen, PE, County Engineer/Asst. Director

December 4, 2013

MR-13-112

Mr. Donald H. Beus 502 E Vineyard Lane Pasco, WA 99301

RE: Petition for New County Road

Mr. Beus,



On October 25, 2013 you submitted a petition to the Franklin County Public Works Department requesting the construction of a new county road connecting East Vineyard Drive with E Foster Wells Road. The petition was signed by 69 individuals.

On November 18, 2013 your petition was presented to the Board of County Commissioners after being reviewed by staff. After reviewing the petition and the recommendations of staff the Board of County Commissioners elected to deny your petition at this time. The reasons cited for denial are as follows:

- 1. Pursuant to Chapter 36.81.020 of the Revised Code of Washington (RCW) ten or more property owners residing in the vicinity of the proposed roadway may petition the Board for establishment of a road. After reviewing the signatures on the submitted petition the County found that only seven of the signatories on the petition could be considered to be property owners residing in the vicinity of the proposed roadway.
- 2. Chapter 36.81.020 RCW further requires that all petitions be accompanied by a bond in the penal sum of \$300, payable to Franklin County. No such bond was included with your petition.

In addition to the issues with the petition the Board also discussed the feasibility of the project as proposed. There are numerous hurdles that would have to be overcome in order for this project to be successful. First and foremost is the availability of right of way. The County currently has no right of way along the corridor and there was only one petitioner who owns property along the proposed route. Acquisition of right of way can be time consuming and expensive, particularly if land owners are not in favor of the proposed project. Along the proposed route there are properties owned by the City of Pasco and the United States Government which can add difficulty in obtaining right of way.

This leads to the second major issue which is the impact to surrounding farm lands. A brief review of the route indicates that there would need to be modification to at least seven existing farm circles and one smaller circle would be virtually eliminated by the roadway. The project would have to include funds for modifications to the existing irrigation hardware as well as compensation to land owners for loss of useable land.

This all culminates in the final hurdle which is cost. A preliminary estimate for this project ranges from \$1.8 to \$2.2 million. The County does not currently have the funding available to complete a project of this magnitude and it is often very difficult to find grant funds for new roadways like this. While we do receive several state and federal grants throughout the year though they all come with certain restrictions about how and where the money can be spent. The most common restriction is that the roadway must be part of the National Highway System and carry a federal functional class of collector or arterial route. The proposed roadway is not likely to meet the requirements to receive either of these federal functional classifications. There is an option to use a County Road Improvement District, wherein the land owners benefiting from the roads construction would pay all or a portion of the costs through assessments, which would improve the chances of the project being funded. This option however requires a separate petition and approval from a majority of the impacted land owners before going forward.

In closing I will pass on that the Board, and the County staff, see value in having a roadway connecting East Vineyard Drive with East Foster Wells Road. However, at this time the project does not appear to be feasible given the availability of funding.

If you wish to resubmit the petition the items listed as bullets one and two above will need to be addressed in order for the board to consider it again. I further advise that you review all of Chapter 36.81 RCW to familiarize yourself with the petition process and the possible outcomes. Note in particular that if your petition is ultimately successful the Board will order the County Engineer to report on the proposed project and all costs associated with making that report would be paid by the petitioners if the project is ultimately found to be financially unfeasible.

COPY

If you have any questions about the Board's decision or the petition process please do not he sitate to contact me.

Regards.

Matthew Rasmussen PE

County Engineer

RECEIVED

MAY 1 9 2014

Franklin County Commissioners

May 19, 2014

Mr. Brad Peck, Commissioner
Mr. Rick Miller, Commissioner
Mr. Robert Koch, Commissioner
County of Franklin
1016 N. 4th Avenue
Pasco, WA 99301

Re: Extension of Vineyard Drive East

Dear Commissioners:

Please find enclosed Statement in Opposition to Petition for Extension of Vineyard Drive East executed by freeholders, Piekarski, Crigler, Halliday and Blasdel. We would ask that this statement be included in testimony at the public hearing concerning this matter scheduled for May 21, 2014, at 9:00 a.m.

Thank you.

Sincerely,

Pam Halliday

cc: Matt Rasmussen, P.E.

Pam Halleday

County Engineer

STATEMENT IN OPPOSITION TO PETITION FOR EXTENSION OF VINEYARD DRIVE EAST

The freeholders of the nine parcels as set forth in the Franklin County Public Works Department "Report on the Viability of the Extension of Vineyard Drive East" (Piekarski, Crigler, Halliday and Blasdel), hereinafter referred to as "freeholders" *vehement*ly oppose the extension of Vineyard Drive East through their property. It is our belief that the Petition filed by Don Beus is for the sole purpose of acquiring legal easement to his property and he is asking the taxpayers of Franklin County to bear the cost at the estimated amount of 3.15 to 3.25 million.

The freeholders have reviewed the names of the petitioners and find it highly possible that the 13 "valid" petitioners amongst the 73 total petitioners is likely to be an invalid number. The public works department confirmed that they did not research to find out if any of the 13 valid petitioners that were on record as a LLC were actually the owners of that said LLC. We have requested the list of the 13 chosen valid petitioners and to date have been denied access to those names. We the freeholders believe if this petition is to move forward, it is only reasonable and fair that we are able to confirm the validity of 10 of the petitioners. We are also concerned about the ambiguous criteria that were used to choose the 13 valid petitioners. If the validity of the petitioners is inaccurate then the petition in question is unenforceable.

The Petition sets forth three (3) specific needs for construction of the road, i.e.:

- 1) "for farm equipment to avoid using U.S. Highway 395"
- 2) "Traffic though the proposed route currently causes contention between neighbors because of damage to crops"
- 3) "Legal access is not available to some properties along this route"

Issue 1) We the Freeholders who are directly affected by the proposed road petition executed by Don Beus dispute the statement as filed in the petition "one special need at this time is for farm equipment to avoid U.S. Highway 395" and the paragraph entitled "Safety Consideration" in the Report on Viability which addresses the accidents occurring on U.S. 395 involving farm equipment which is guesstimated to be 17.6 percent. The freeholders have conducted their own research and would find as follows:

According to the records from Franklin County fire District 3 who responds to all accidents along the corridor of highway 395 north of highway 12/182, there has been ONE accident since 2007 on highway 395 between the interchange 12/182 and 395 up to Sagemoor Road. That accident was at Phend Road and 395 in October 2013.

Issues 2 & 3) One must be aware of the recent history of access to Beus Feedlot to fully understand the situation, as it exists today.

Prior to 2010, the primary access to Beus Feedlot was off Hwy 395 on a roadway commonly referred to as McGregor Rd and/or Beus Rd. Until that date, this route served as the primary access to the Beus property, with occasional use of the private dirt road located between the irrigation circles of the freeholders.

In the summer of 2010, for reasons unknown to the freeholders, the primary access route to the Beus property off Hwy 395 was blocked and access was denied to Beus. At that time, Don Beus contacted the freeholders and requested permission to utilize the dirt road between their properties for access to the feedlot. The freeholders (Piekarski, Crigler and Halliday) agreed to grant Beus temporary access, with a request that the parties enter into a permissive ingress/egress agreement prior to December 31, 2010, as set forth in letter delivered to Don Beus dated September 30, 2010. Negotiations continued throughout 2011 with Don Beus through his attorney. A document entitled "Permissive Ingress/Egress Road Agreement was prepared for signature by the parties Beus, Halliday and Crigler. Don Beus declined to execute the document, and the parties Halliday and Crigler executed and recorded Permissive Ingress/Egress Road Declaration filed with the Franklin County Auditor on June 4, 2012, AFN #1783482 granting Don Beus permissive use limited to Beus Feedlot for agricultural purposes, it includes road use maintenance provisions.

The freeholders have accommodated Don Beus and permitted him to travel the dirt road between the irrigation circles to the Beus Feedlot. However, since granting the Limited Permissive Ingress/Egress to Don Beus, the freeholders have been burdened with the following:

- 1) Inadequate watering of roadway
- 2) The once single lane dirt road has been slowly widened and now can accommodate 3 cars side by side and it encroaches upon freeholder's croplands and orchard.
- 3) Substandard maintenance by grading of roadway by Don Beus and/or his employees creating a berm along the edge of the croplands making it difficult for orchard tractors to enter and exit the rows on the Crigler orchard safely as they tip easily and it is difficult to see the oncoming traffic. There used to be plenty of room at the edge of the orchard for these to turn around at the end of the rows, however as the road continues to get wider the workers are no longer able to keep the tractors on the orchards edge to turn around.
- 4) Freeholders have been denied the use of the private dirt road between our property for personal use to walk our dogs or jog because of Beus Feedlot employees driving too fast causing safety concerns.

5) Mr. Beus and/or his employees have encroached upon freeholder Halliday's irrigation pond bank with their road grader to the point where there is concern that the pond bank may be compromised now or in the future.

The Petition filed by Don Beus states there is a need for the roadway because "traffic through the proposed route currently causes contention between neighbors because of damage to crops due to a lack of a developed road." The only contention between neighbors is between Don Beus and the freeholders due to the lack of respect for their property as outlined above.

The freeholders unequivocally oppose the recommendation by the Franklin County Works Department under the paragraph set forth as Engineering Consideration which determines that the curve of the roadway may need to be revised, converting the curve into a T-intersection and vacating a portion of the roadway as set forth on appendix entitled "Proposed Vineyard Drive Extension, Extended Roadway Intersection Modification."

Freeholders, Crigler, located their residence on the property so as to be at the farthest point from the roadway passing in front of their home. The proposed revision would relocate the roadway to run behind their property in the closest proximity possible to their home and would threaten the quiet, rural lifestyle they intended and have built their homestead around. Freeholders, Crigler, also believe that their property value would be diminished. The apple orchard and home which they thought would support them in their retirement and be a peaceful place to spend their final years would no longer be possible if this county road is relocated. Who would want to purchase a home with a paved highway within feet of their bedroom windows? If a truck carrying chemicals or other hazardous materials were to wreck near their home, what damage could be done to their drinking water well, farm shops, septic tank, etc. The once valuable property would become a liability to their heirs rather than the gift it was intended to be. The road revision would devastate their rural quality of life and create financial havoc.

Freeholders, Piekarski, would also be affected by this proposed route by not only losing acres of valuable production farm ground for the remainder of their lives, but also losing thousands of retirement dollars annually for the remainder of their years due to the loss of crop land production.

Freeholders, Piekarski, Halliday, and Blasdel are all very concerned about the potential liability from dust storms and reduced visibility causing accidents along the proposed corridor, as there is no wind protection.

The impact on surrounding farmlands is significant, including but not limited to modification to at least ten existing farm circles, elimination of one small circle,

relocation of irrigation pond, relocation of pump stations, and loss of production land and revenue.

The Petition sets forth three (3) specific needs for construction of the road, i.e.:

1) "for farm equipment to avoid using U.S. Highway 395"

2) "Traffic though the proposed route currently causes contention between neighbors because of damage to crops"

3) "Legal access is not available to some properties along this route" Each of these needs have been addressed in this statement.

It is evident to the freeholders, the reason Don Beus has brought forth this Petition for proposed road construction is so he can establish a paved driveway and legal easement to his property at the expense of Franklin County taxpayers.

For the reasons set forth above, we absolutely oppose the Extension of Vineyard Drive East. The taxpayers of Franklin County should not be asked to bear the burden of this project, which is solely intended to benefit one person and his business.

DATED this Moderate day of May, 20	14.
Tom Crigler	Marcia (Lentz) Crigler Marcia (Lentz) Crigler
Kenneth Piekarski	Melina Piekarski
Paul Halliday	Famela Halliday
Earl Blasdel	Viola Blasdel Viola Blasdel
Michael Blasdel	

Franklin County Board of Commissioners

Agenda Summary Report

	2014-217
DATE: May 12, 2014	PRESENTED BY: Jerrod MacPherson
ITEM: (Select One)	Consent Agenda. X To Be Brought Before the Board. Date: May 21, 2014 Time needed: 15 minutes
SUBJECT / ISSUE: CUP the Agricultural Production	2014-02, a Conditional Use Permit (CUP) application to construct a fire station-storage building in 20 (AP-20) Zoning District.
ACTION(S) REQUESTE Review the Planning Comm	D: nission Recommendation in a Public Meeting; Pass a motion; and Pass a Resolution.

BACKGROUND:

This is a Conditional Use Permit (CUP) application to construct a fire station-storage building. The proposed building will be approximately 3,000 square feet in size and will be used for the storage of fire trucks and supplies associated with Fire District #4.

The property is located in the Agricultural Production 20 (AP-20) Zoning District and is near the southwest intersection of Hendricks Road and Hendricks Spur, west of Sagehill Road (Parcel Number 120-210-066).

Public Testimony and Discussions:

Phone and/or In-Office Discussions: Planning Staff did not receive any inquiries on this application.

Open Record Hearing Testimony:

- In support of application: One person (applicant) spoke in support of the application.
- Opposed to application: No public spoke against the application.
- Clarification only: None.

Planning Commission Voting/Discussion: Positive recommendation with 5 in favor; 0 against.

<u>Summary:</u> At the regularly scheduled Planning Commission hearing on May 6, 2014 the Franklin County Planning Commission voted to forward a positive recommendation for this application to the Board of County Commissioners subject to the following six (6) findings of fact and eight (8) conditions of approval:

Findings of Fact:

- 1. The construction of a fire station-storage building at this site in the AP-20 Zoning District IS in accordance with goals and policies of the County Development Regulations (Zoning) and the County Comprehensive Plan.
 - a. The siting of a fire station-storage building at this location is in compliance with the County Comprehensive Plan.
 - b. The property is zoned AP-20. The approval of a Conditional Use Permit is required for community **service** related facilities including fire station related buildings.

Page 2 Agenda Summary Report

- 2. The proposal WILL NOT adversely affect public infrastructure.
 - a. The site has frontage on two arterial county roads known as Hendricks Road and Hendricks Spur.
- 3. The proposal **WILL BE** constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.
 - a. The existing and intended character of the immediate area is Agricultural. The fire station-storage building will be constructed to provide service to this agricultural area. The proposed use is consistent with the surrounding activities and uses.
- 4. The location and height of proposed structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. The location of the proposed operation will assist and is a benefit in encouraging new agricultural development in the rural area.
- 5. The operation in connection with the proposal WILL NOT be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. The AP-20 Zone allows for a wide range of activities that may produce noise, fumes, vibrations, dust, traffic and flashing lights. The proposed use is consistent with the activities allowed as a permitted use in the AP-20 Zoning District.
- 6. The proposal WILL NOT endanger the public health, safety, or general welfare if located where proposed.
 - a. The facility will not endanger the public health or safety at this site. The County Public Works Department has stated that adequate site/vision distance is available to safely accommodate vehicles entering or leaving the site either from Hendricks Road or Hendricks Spur.
 - b. The Health Department has no concerns about the storage-only building unless water is provided at the site which will require additional review.
 - c. Stormwater is not allowed to enter any of Bureau of Reclamation's facilities. Construction should be done in a manner that minimizes adverse effects to the operations, facilities, and resources of the Columbia Basin Irrigation Project.

Conditions of Approval:

This is a Conditional Use Permit (CUP) application to construct a fire station-storage building. The proposed building will be approximately 3,000 square feet in size and will be used for the storage of fire trucks and supplies associated with Fire District #4.

The property is located in the Agricultural Production 20 (AP-20) Zoning District and is near the southwest intersection of Hendricks Road and Hendricks Spur, west of Sagehill Road (Parcel Number 120-210-066).

2. The following will be required by the **County Planning and Building Department** when new construction is to occur at the site.

Page 3 Agenda Summary Report

- a. New construction at the site shall comply with setback standards. Coordination with the Planning and Building Department shall occur as the official site/plot plan for building permit submittal is developed to ensure the building meets setbacks.
- b. A completed building permit application is required.
- c. One complete set of building plans, with foundation plans, and WA State Engineering.
- d. Provide a detailed plot plan for this site.
- e. Provide a current Access permit from the Franklin County Public Works Department.
- f. If any plumbing is to be installed provide a septic permit from the Benton Franklin District Health Dept. and a well log or Water Availability notification.
- 3. **County Public Works**: Approaches on Hendricks Rd must be more than 75 feet from the intersection and approaches on Hendricks Spur must be more than 50 feet from the intersection. Approaches to a paved section of roadway must be paved and approaches to a gravel section must be gravel. An approach permit is required from the Public Works Department before beginning construction.
- 4. **Benton Franklin Health Department** review and approval is required if water is supplied to the site or if employees are stationed at the site in the future.
- United States Bureau of Reclamation: Stormwater must not be allowed to enter any of Reclamation's facilities.
 Construction should be done in a manner that minimizes adverse effects to the operations, facilities, and resources of the Columbia Basin Irrigation Project.
- 6. If the land owner chooses in the future to transfer this approval to any other corporation or entity, the Planning Department shall be notified of this change. All conditions and requirements will continue for the new owner/applicant.
- 7. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
- 8. This permit applies to the described lands and shall be for the above named individual and/or his heirs and/or assigns. Any transferring of this permit will require that notice be granted to the Franklin County Planning Department or the permit will be cancelled. It cannot be transferred to another site.

COORDINATION:

Franklin County Planning and Building Department; Franklin County Public Works Department; United States Bureau of Reclamation; Benton Franklin Health Department; South Columbia Basin Irrigation; and Fire District #4.

RECOMMENDATION:

The County Planning Commission recommends the Board of Commissioners approve CUP 2014-02 with the following motion:

Motion:

Grant approval of CUP-2014-02, subject to the six (6) findings of fact and eight (8) conditions of approval.

	Page 4
Agenda	Summary Report

HANDLING / ROUTING:

N/A

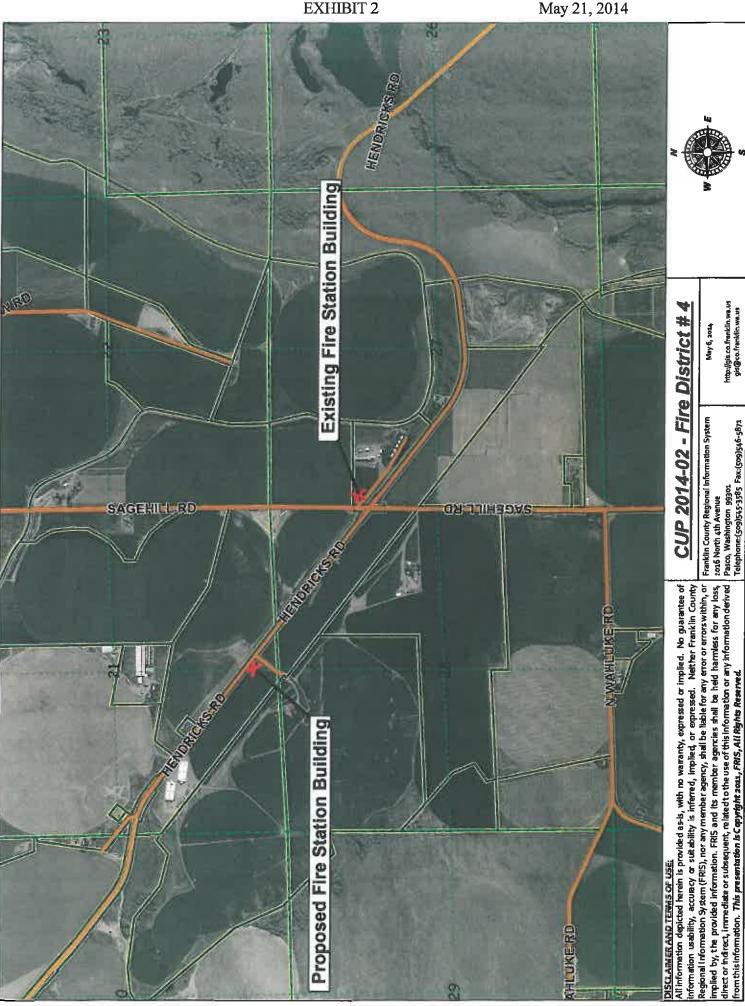
ATTACHMENTS:

Three (3) exhibits are attached for consideration: 1) An aerial overlay map of the general area and of the parcel in question; 2) A detailed aerial overlay map of the parcel in question and the proposed fire station storage building location; and 3) A sample photo of an existing emergency services building which will be very similar to the one proposed for this application.

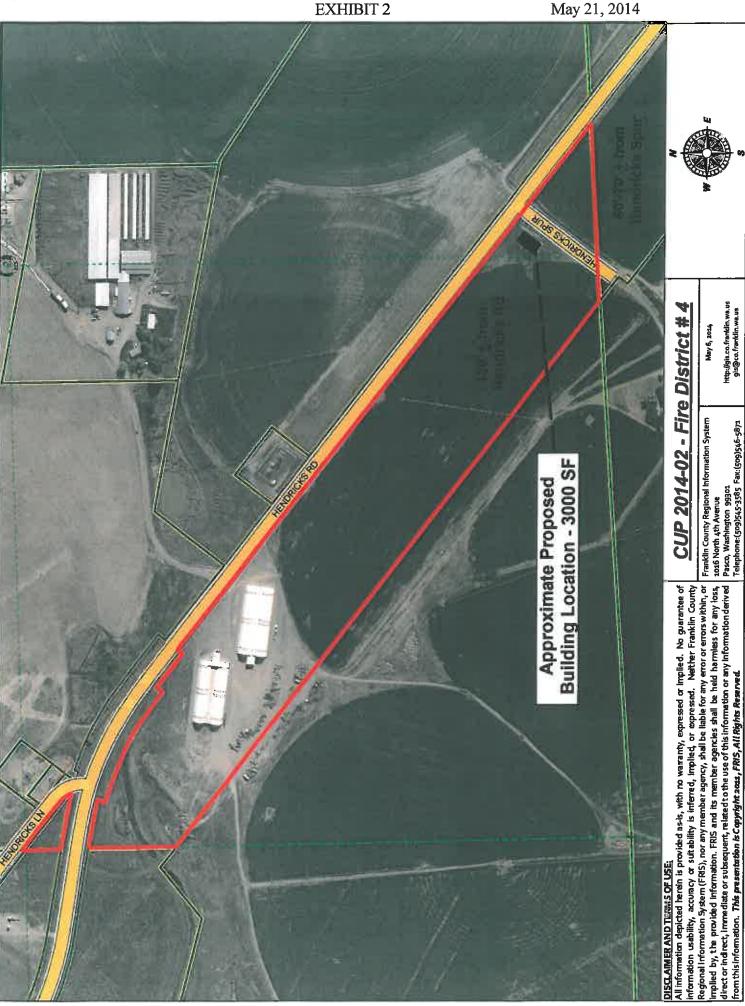
I certify the above information is accurate and complete.

Jerrod MacPherson – Director of Planning and Building











FRANKLIN COUNTY AUDITOR



Matt Beaton, Auditor

5/21/2014

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims.

Action: As of this date, 5/21/2014

Move that the following warrants be approved for payment:

certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

FUND Expenditures	WARRANTS		AMOUNT ISSUED	
Courthouse Facilitator Program	98172	-	\$1,000.00	
Clerk LFO Collection Fund	98173	-	\$178.86 —	
Jail Commissary	98174	98175	\$2,793.28 ~	
Enhanced 911	98176	98177	\$19,160.15	
Ending Homelessness Fund	98178	98181	\$10,155.09/	
FC Capital Projects Fund	98182	98183	\$1,054.00	
County Roads	98184	98208	\$176,580.45	
Solid Waste	98209	98211	\$6,824.53 🗹	
Current Expense	98212	98326	\$2,781.01 🗸	
FC Public Facilities Const Fund	98327	98328	\$2,318.60 🗸	
TRAC Operations Fund	98329	98366	\$27,022.50 🗸	
Franklin County RV Facility	98367	98369	\$13,310.02 >	
Solid Waste	98370	-	\$58.27 🛩	
Motor Vehicle/Public Works	98371	98377	\$10,730.60 🗸	
Current Expense	98397	98481	\$89,172.98 🗸	
Ending Homelessness Fund	98482	-	\$500.00 ~	
Current Expense	98483	98509	\$16,751.56~	
Current Expense	98510	98540	\$57,058.57 ~	
Current Expense	98549	98553	\$1,663.75 ~	
Veteran's Assistance	98554	-98553 -	\$8,131.64 v	
Excise Tax:		98551-MM		
Current Expense		1000 M	\$3,010.56 ~	
Treasurer O & M		• • • •	\$1.82 ⁻	
E911/State Contract/Operations			\$299.97 ~	
County Roads			\$66.17 ⁻	
Solid Waste			\$76.02 -	
TRAC Operations Fund			\$408.32	
Franklin County RV Facility			\$76.77	

In the amount of \$451,185.49

The motion was seconded by

And passed by a vote of _____to____

Reviewed by County Administrator

The attached vouchers have been approved by Auditor or Deputy

Vouchers Audiced By : Margaret Mathia

1016 North 4th Avenue *P.O. Box 1451*Pasco, WA 99301*(509) 545-3502*fax (509) 543-2995 www.co.franklin.wa.us

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FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

May 21, 2014

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

Action: As of this date,

May 21, 2014 _

move that the following warrants be approved for payment.

FUND	WARRANT	<u>AMOUNT</u>
County Road Payroll Direct Deposit	98653-98674	23,963.93 37,191.43
Benefits	98675-98684	61,155.36 34,463.42
	Total	\$95,618.78
Motor Vehicle Payroll Direct Deposit Benefits	98557-98573 - 98574-98583 Total	\$5,441.59 5,732.28 \$11,173.87 6,609.21 \$17,783.08

Grand Total All Payrolls

<u>\$113,401.86</u>

In the total amount of \$113,401.86

(\$95,618.78 + \$117,783.08)

The motion was seconded by __

and passed by a vote of 👱

__ to

The attached payroll has been approved by Auditor or Deputy

Payroll Prepared By Julie Jordan