



Keith Johnson  
County Administrator

BOARD OF COMMISSIONERS  
**FRANKLIN COUNTY**  
WASHINGTON

**BRAD PECK**  
District 1

**ROCKY MULLEN**  
District 2

**CLINT DIDIER**  
District 3

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**AGENDA**  
**Regular Board Meeting**  
**Tuesday, April 13, 2021**

*Franklin County Courthouse, Commissioners' Meeting Room*  
1016 North Fourth Avenue, Pasco, Washington

This is a preliminary agenda. Discussion items may be added, deleted or modified. Public Hearings will not start earlier than the advertised time. Other agenda times are approximate and provided to aid in planning.

**In-Public attendance is limited and masks are required.**  
**Please follow our Franklin County website link and join us via AV Capture Live Stream.**

**9:00 a.m. Call to Order and Pledge of Allegiance**

**9:00 a.m. Approval of Minutes**

*March 16, 2021 Commissioners Meeting Minutes (Revised)*

*March 30, 2021 Commissioners Meeting Minutes*

**9:00 a.m. BID OPENING - County Road Project 605/ Pasco Kahlotus Reconstruction**

*Public Works Director Matt Mahoney and Associate Engineer Kathleen Neuman*

**9:20 a.m. Conditional Use Permit 2020-04 VanderMeulen Existing Feedlot**

“Final Action on CUP 2020-04, Request to Expand of Existing Feedlot”, requesting to add 6,500 head to Case VanderMeulen’s existing feedlot, for a total of 10,000 head. **(Resolution 2021-077 upon approval)**

*Presented by Planning and Building Director Derrick Braaten*

**9:35 a.m. CLOSED Record Hearing**

**River Crest SUB 2020-01 108 Acres into RC-1**

“SUB 2020-01, Request to Preliminarily Approve a 74-Lot Single-Family Residential Subdivision”, requesting to convert approximately 108 acres of RC-1 zoned property into a 74-lot, 1-acre minimum, single-family residential subdivision.

*Presented by Planning and Building Director Derrick Braaten*

**(Resolution 2021-078 upon approval)**

**9:50 a.m. Unfinished Business**

**Reconsideration of Motion Tabled on April 6, 2021**

Open for Public Comment

**10:15 a.m. Presentation on Washington Long Term Care Trust Act and Alternative Voluntary Employee Benefit Plan** *Presented by Human Resources Director Carlee Nave*

**10:35 a.m. Public Comment** by Phone: 509-546-5859

**10:45 a.m. Office Business**

1. Approval of Payroll Rosters
  2. Approval of Warrant Registers
  3. Approval of Consent Agenda
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1. Resolution 2021-079 Amending Franklin County resolution 2021-039 to purchase 2 vehicles for the Juvenile Justice Center.
  2. Resolution 2021-080 Amending Precinct Boundary Adjustments

**10:50 a.m. Administration Office Business**

- Support Letter for Port of Pasco Capital Projects
- First and Second Amendment Resolution for Franklin County  
(**Resolution 2021-081** *upon approval*)
- Update on Controlled Substance Ordinance
- Guardhouse Information
- Presentation - Public Works Six-Year Transportation Improvement Program  
Presented by Public Works Director Matt Mahoney

**11:15 a.m. Public Comment**

**11:30 a.m. Adjourn**



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The Minutes of the Board of Commissioners proceedings are not verbatim. Access to an electronic audio recording of meetings are available on the Franklin County website or upon request.

9:00 a.m.

### **Call to Order and Pledge of Allegiance**

Commission Chairman Clint Didier called the Franklin County Commissioners' Regular Board Meeting to order at 9:00 a.m., in the Commissioners' Meeting Room in the Franklin County Courthouse located at 1016 North Fourth Avenue, Pasco, Washington.

**Commissioners Present:** Commission Chair Clint Didier, Chair Pro Tem Rocky Mullen and Member Brad Peck

9:00 a.m. **Approval of Minutes**

*March 16, 2021 Commissioners Meeting Minutes (Revised)*

*March 30, 2021 Commissioners Meeting Minutes*

9:00 a.m. **BID OPENING - County Road Project 605/ Pasco Kahlotus Reconstruction**

Public Works Director Matt Mahoney and Associate Engineer Kathleen Neuman opened the two responsive bids.

- Central Washington Asphalt, Pasco and Moses Lake WA- Bid Amount \$3,122,122.00
- Inland Asphalt Company, Richland WA- Bid Amount \$2,849,708.00
- Franklin County Engineer-Estimate \$3,012,870.50

Ms. Neuman will take the documents back to Public Works office and verify them prior to declaring the bid award. Mr. Mahoney discussed the process of obtaining Grant monies.

9:11 a.m. **Conditional Use Permit 2020-04 VanderMeulen Existing Feedlot**

Planning and Building Director Derrick Braaten explained that CUP 2020-04 was remanded back to staff for clarification of record. This item was presented to the BoCC on March 16, 2021 as in open record public hearing. At the hearing, statements presented to the Board from the public and the applicant indicated there may be discrepancies in the record presented to the Board for its consideration of the matter. The final decision regarding CUP 2020-04 was tabled, and the item remanded back to staff for clarification of the record, primarily regarding whether the public was properly notified and whether the process used was appropriate.

Though owned by the same party, this feedlot is considered under SEPA requirement to be a separate and distinct operation from the Coulee Flats Dairy facility, permitted through CUP 2007-02.

- ❖ *Commissioner Peck moved to approve CUP 2020-04 titled VanderMeulen Existing Feedlot. Commissioner Mullen seconded the motion and the motion carried.*



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- ❖ *After discussion, Commissioner Peck moved to approve Resolution 2021-077 incorporated there in as part of the CUP 2020-04. Commissioner Mullen seconded the motion carried.*

9:28 a.m. **Closed Record Hearing**

Planning and Building Director Derrick Braaten presented a PowerPoint presentation discussing the SUB-2020-01, River Crest, a preliminary long-plat application to subdivide approximately 108 acres into 74 single-family residential lots in the RC-1 Zoning District. The presentation included maps, photos and requirements of six findings and six conditions for preliminary approval.

10:05 a.m. Commissioner Didier closed the Closed Record Hearing.

- ❖ *Commissioner Mullen moved to approve River Crest SUB 2020-01. Commissioner Peck seconded. Correction was made to the motion. Commissioner Mullen moved to approve Resolution 2021-078. Commissioner Peck seconded. Commissioner Peck wanted to verify that there were no conflicts between the Commissioners and this motion. Commissioner Mullen stated that he owned land nearby but did not have any conflicts of interest. After disclosure, the motion carried.*

10:08 a.m. **Unfinished Business Reconsideration of Motion Tabled on April 6, 2021**

No motion was made to bring back the tabled motion from last week.

Commissioner Mullen requested to read a statement as listed below:

First, I would like to that all those who reached out to voice their opinions and concerns.

I reached out to Mr. Johnson immediately after last Tuesdays meeting and met with Mr. Johnson the following morning to discuss our concerns, expectations and a path to move forward.

Out of this meeting came a mutual decision to work together and what was to be expected from each other.

I gave my word to Mr. Johnson that I would work with him, and together we would move forward. I have to stand by my word and fulfill this commitment.

Some may ask, "Why did I make the motion?" My concern was that I was not receiving or being updated on issues within the County.

As Commissioners, together we sit on over 70 Boards combined. We don't always know what is happening with each other's Boards. We can only communicate with each other during open meetings. Which is every Tuesday at the Commissioners Meeting. We rely on the County



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Administrator to keep us informed. The County Administrator as part of his duties are to report to the Commissioner on issues that are facing Franklin County.

Prior to Commissioner Didier's making the motion to terminate Mr. Johnson's position in late February, Mr. Johnson and I had only met once outside of the Commissioners meeting.

After Commissioner Didier's motion, Mr. Johnson and I met at my home for over two hours. Discussing what needed to be addressed in his office, after several weeks I didn't see much change if any, which led to my motion last Tuesday.

With our latest meeting, I believe we are perfectly clear on what is expected from each other and that Mr. Johnson has assured me that moving forward All County related business will be given equally to all three Commissioners so that we can make the most informed decisions on issues that are facing Franklin County.

It is my desire that all of us work together in unity.

Thank you for your time, Commissioner Rocky Mullen

Commissioner Peck explained the process of open public meetings in which the Commissioners may discuss county business with one another and the Administrator.

## 10:12 a.m. **Presentation on Washington Long-Term Care Trust Act and Alternative Voluntary Employee Benefit Plan**

Conover Insurance representatives Dave Guyll, Brandon Cleary, and Jamie Carlock presented a PowerPoint on Washington Long-Term Care Trust Act and Alternative Voluntary Employee Benefit Plan. After the presentation, the Commissioners discussed the options available to the county.

- ❖ *The Commissioners were in consensus to allow Human Resources Director Carlee Nave and Conover Insurance to move forward with preparing to procure Lifesecure as the long-term care representative. Incomplete Legislative rulings will determine when this will be brought back to the Board for a final decision.*

## 10:53 a.m. **Public Comment**

- Michelle Andres was concerned with how the Commissioners meetings have been run. She presented organizational charts to the Board.
- Kennewick's City Manager Marie Mosely read a letter from the Chief Executive Officers for the cities of Kennewick, Pasco, Richland and West Richland in support of Administrator Keith Johnson.



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- George Dockstader is concerned with access in the county/city and the growth that is occurring. He plead with the Commissioners to get together with other entities to discuss this matter.
- Lawanda Hatch is pleased to see that the Commissioners and Administrator are planning to work together. She would like to see better communication between the Board members and the Administrator so that they can make decisions on correct information given to them.
- Caleb Stromstead voiced his concerns of not being able to clarify items listed in the closed record hearing on behalf of the applicant. His intention was not add new information, but to merely clarify what already existed in the documents.
- Mark Fikes an attorney from Yakima representing Big Sky Developers would have liked the opportunity to speak at the closed record hearing. Applicants may speak during the closed record hearing, however, they may not provide any new testimony or additional information to the hearing.
- Via phone, Kevin Heinen voiced his concerns on politics within the establishment of Franklin County. He stated that Commissioner Mullen had taken the slack for hiring Assessor John Rosenau and believed it has turned out to be beneficial to the county. He was concerned with Mr. Johnson's response to Commissioner Mullen's request to keep him informed on county business.
- Via phone, Erica Tarranto made a records request March 29, 2021 as to misconduct reports on Administrator Keith Johnson and Commissioner Peck. She received a response back that records existed but are exempt due to an open investigation. She inquired of the purpose of the investigation.
- Via phone, Jeffery Robinson commended Mr. Johnson on the fine job he is doing. He voiced his concerns with the conduct of Commissioners in last week's meeting.
- Via phone, Felix Vargas thanked Commissioner Mullen for his statement and for the City Managers statements. He wished Commissioners would work together.
- Via phone, Steve Simmons appreciated Commissioner Mullen's statement. He appreciated the diversity of each Commissioner.

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11:25 a.m. **Approval of Fund Expenditure Warrants**

04/13/2021

**Franklin County Commissioners:**

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

Action: As of this date, 04/13/2021

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.

Warrants \ Check Numbers:	00369780 - 00369864	\$127,207.00
EFT Check Numbers:	00000781 - 00000785	\$9,860.00
		<u>\$137,067.00</u>

<u>Fund Expenditures</u>	<u>Amount Issued</u>
CURRENT EXPENSE	\$52,516.84
CRIME VICTIMS WITNESS	\$3,396.06
COURTHOUSE FACILITATOR	\$700.00
JAIL COMMISSARY	\$3,338.05
COUNTY ROADS	\$8,892.34
SOLID WASTE	\$1,259.14
VETERAN'S ASSISTANCE	\$1,652.00
ENDING HOMELESSNESS	\$10,873.08
FC PUBLIC FACILITIES CONST FND	\$6,239.08
FRANKLIN COUNTY RV PARK	\$210.04
MOTOR VEHICLE	\$47,990.37

In the amount of: \$137,067.00

The motion was seconded by: [Signature]

And passed by a vote of: 3 to 0

Reviewed by the County Administrator: [Signature]

The attached vouchers have been approved by Auditor or Deputy:  
[Signature]  
Matt Beaton

Vouchers Audited By:  
[Signature]  
Maisey Stein

[www.co.franklin.wa.us/auditor](http://www.co.franklin.wa.us/auditor)

❖ *Commissioner Mullen moved to approve Fund Expenditures audited and certified by the auditing officer for warrants prepared for the week of April 13, 2021 for payment totaling \$137,067.00. Commissioner Peck seconded and the motion carried.*



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## 11:26 a.m. Approval of Consent Agenda

1. Resolution 2021-079 Amending Franklin County resolution 2021-039 to purchase two vehicles for the Juvenile Justice Center.
2. Resolution 2021-080 Amending Precinct Boundary Adjustments

❖ *Commissioner Mullen moved to approve the Consent Agenda. Commissioner Peck seconded with discussion on #2. After discussion, the motion carried.*

## 11:26 a.m. Administration Office Business

- Mr. Johnson presented a letter of support for the Port of Pasco Capital Projects. This included the Reimann Industrial Center.  
  
❖ *The Commissioners were in consensus for support of the letter.*
- After discussion on the First and Second Amendment Resolution for Franklin County between the Commissioners, Sheriff Raymond and Attorney Shawn Sant, Mr. Sant will review the language and bring it back before the Board next week.
- Mr. Johnson gave an update on the “Controlled Substance Ordinance” for Franklin County. Most counties are waiting to see what the legislature will do in regards to this matter. Mr. Sant would like to bring an Ordinance back before the Board if the state does not take action.
- Mr. Johnson extended his thanks to the Mayors and City Managers for their support. He also would like to meet with Ms. Hatch to explain some of the things that have transpired.

### Recess

Commissioner Didier called for a five-minute recess at 12:05 p.m.

### Reconvene

Commissioner Didier reconvened the regular meeting at 12:13 p.m.

- Sheriff Jim Raymond presented a printout packet of guardhouse information to each Commissioner. He gave a background on the guardhouse procedures and practices. He also explained why he deemed it necessary to change the structure.

12:29 p.m. Public Works Director Matt Mahoney gave a PowerPoint presentation on Public Works Six-Year Transportation Improvement Program. Some of the topics he covered were as listed:

- County Road Major Resources
- 44 projects listed
- Current Priorities – Farm to Market Routes, Bridges and Highway Safety





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- Arterial Road Miles (unincorporated)
- Current Project Breakdown

Commissioners asked Mr. Mahoney for his recommendation for a project, to present to Congressman Dan Newhouse. His response was to work on Taylor Flats area, due to the highest amount of traffic.

Discussion on Reimann Industrial Center and the roads in close proximity to its location.

**1:12 p.m. Public Comment**

- Lawanda Hatch had concerns on Self Landing Road. She also had concerns about the redistricting process. She supports a committee for redistricting.
- Michelle Andres had concerns with division amongst Commissioners. She thanked Commissioner Mullen for his comments of working together.

**1:20 p.m. Executive Session**

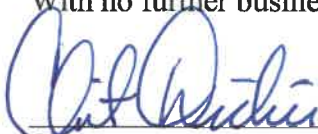
RCW 42.30.110 (1) (i) to discuss with legal counsel: litigation or potential litigation.

Commissioner Didier recessed into Executive Session at 1:21p.m., for up to 30 minutes to discuss with legal counsel regarding litigation or potential litigation. Commissioner Didier, Commissioner Mullen, Commissioner Peck, Administrator Keith Johnson, Attorney Shawn Sant, Civil Attorney Jennifer Johnson, Clerk of the Board Karin Milham and Outside Council Attorney John Safarli were in attendance.

Commissioner Didier reconvened the Regular Meeting at 1:51 p.m. with no action taken.

**Adjourn**

With no further business to bring before the Board, the meeting adjourned at 1:52 p.m.

  
Chair

  
Clerk of the Board

5-4-2021  
Date