

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

MARCH 20, 2001

The meeting was called to order at 9:10 by Chairperson Mary Jo Cady. Commissioners Herb Baze and Wesley Johnson were in attendance.

APPROVAL OF MINUTES

Cmmr. Johnson/Baze moved and seconded to approve the 3/13/01 meeting minutes. Motion carried unanimously. B-aye; J-aye; C-aye.

C O R R E S P O N D E N C E

ECONOMIC DEVELOPMENT COUNCIL

The EDC is proposing the Board create an advisory board to make recommendations to the Commissioners on where the .08 distressed/rural tax funds should be expended.

RASOR ROAD

Received a petition asking the County to maintain and make improvements to Rasor Road. The petition was signed by the following: Tom Morris, Jr.; Lawrence Jamieson; Teodoro, Rosita and Teddy Nauta; Shelly & Brad Vernon; Steve & Maria Hunt; Katherine Lanz; Clay & Norma Eshom; Donald & Lai Gunter; Steven & Carole Shipman; Wes & Joyce Tallman; Stacey Holmes; Michael Brees; Bruce Williams.

A letter of support for the adoption of Rasor Road into the County Road System from Kim & Lisa Capeloto.

SKOKOMISH INDIAN TRIBE

Notice received from the Bureau of Indian Affairs they are considering the application for acquisition of a 3.00 acre and a 2.00 acre tract of land to be held in trust for the Skokomish Indian Tribe. The Tribe intends to open a small gaming facility in an existing building on the property and for parking.

PUBLIC UTILITY DISTRICT NO. 3

PUD 3 has approved a 15% retail rate increase that will be effective with all meter readings on and after May 1, 2001.

WASHINGTON STATE PARKS

Notice that the Washington State Parks and Recreation Commission will review and discuss Day Vehicle Parking Fee and the LANDS Manual on March 22, 2001.

OKANOGAN COUNTY

Okanogan County has announced that they and a coalition of family farms and irrigators intend to sue the federal government for unlawfully trying to use the Endangered Species Act to cut off water rights protected by the state and federal Constitutions. They are asking for Mason County's support.

WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

Received a Compliance Order Regarding Previous Findings of Noncompliance and Order on Motion for Reconsideration.

JAIBG

Received notice there are additional funds for the Juvenile Accountability Incentive Block Grant (JAIBG). The response form is due by April 1, 2001.

CONSERVATION DISTRICT LEGISLATION

Senator Bob Morton sent a letter regarding legislation that impacts the county's authority regarding conservation districts.

TEE LAKE HEARING

Received a request from David Creed Sr. asking for a 60-day postponement of the 4/3/01 hearing the Board has scheduled regarding Tee Lake.

2000 CENSUS

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Cmmr. Johnson/Baze moved and seconded to support the grant request from the Mason Transit Authority to the Rural Mobility Grant Program for a fare collection system. Motion carried unanimously. B-aye; J-aye; C-aye.

LIQUOR CONTROL BOARD

Application in lieu of current privilege: Shelton-Bayshore Golf Club, 3800 E Hwy 3, Shelton, WA; spirits/br/wn rest lounge

New application: The Lucky Dog, 19390 Highway 101 N., Shelton; Applicants: Skokomish Indian Tribe; beer/wine restaurant

Cmmr. Baze/Johnson moved and seconded there are no objections to the application in lieu of current privilege for the Shelton-Bayshore Golf Club and the Skokomish Indian Tribe, The Lucky Dog. Motion carried unanimously. B-aye; J-aye; C-aye.

VETERANS' ASSISTANCE APPLICATION(S)

Utilities, Food, Housing, Mileage Reimbursement, Burial

Jerry Haynes, VFW 1694, \$400 rent
Claude Harley, VFW 1694, \$400 rent

TOTAL VETERANS' ASSISTANCE FUND APPLICATIONS - \$800

Cmmr. Johnson/Baze moved and seconded to approve the Veterans' Assistance applications as presented by the screening committee in the amount of \$800. Motion carried unanimously. B-aye; J-aye; C-aye.

RSN MENTAL HEALTH ADVISORY BOARD

Application from Ruffus Garoutte

Cmmr. Baze/Johnson moved and seconded to approve the recommendation to appoint Ruffus Garoutte to the RSN Mental Health Advisory Board. Motion carried unanimously. B-aye; J-aye; C-aye.

WORKSHOP SET - BELFAIR/LOWER HOOD CANAL WATER RECLAMATION PLAN

Cmmr. Baze/Johnson moved and seconded to set a workshop on Tuesday, April 10, 2001 at 6:30 p.m. at the Fire Protection District #2 office regarding the Belfair/Lower Hood Canal Water Reclamation Plan. Motion carried unanimously. B-aye; J-aye; C-aye.

MCRA WALKWAY AND PEDESTRIAN OVERPASS

Jerry Hauth, Public Works Director, requested permission to select and negotiate a contract with a company from the 2001 Consultant Roster for the design of the MCRA Walkway and pedestrian overpass structure.

Cmmr. Johnson/Baze moved and seconded to authorize the Department of Public Works to select, and negotiate a contract with a company from the 2001 Consultant Roster for the design of the MCRA Walkway and pedestrian overpass structure. Motion carried unanimously. B-aye; J-aye; C-aye.

HEARING – Consider the Engineers report on the intent to establish as a county maintained road, Rasor Road, (Co. Rd. 64200).

At 9:30 a.m. the Chair opened the hearing to consider establishing Rasor Road West as a primitive county maintained road.

Mr. Hauth presented the staff report. He presented several maps of the area, including an aerial photo. He explained the road was originally established as the WT Buding Road by an Order of Establishment signed by the Commissioners on May 26, 1898. The right of way width was declared to be 60 feet. The map of the dedicated right of way shows this road wandered its way from Prickett Lake to the Belfair area. It was presumably abandoned for maintenance sometime during the depression era, and later, a large portion at the northerly end was maintained by Mr. Jack Rasor; hence, the entire road came to be known as the Rasor Road.

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As far as the Mason Lake community, it will not facilitate them at all should Trails not be available. It will be established as a primitive road until the threshold is crossed, which is an average of 100 daily cars, which he suspects will happen in the near future.

Cmmr. Baze asked if Mr. Hauth knew how many houses this would benefit.

Mr. Hauth replied he doesn't know specifically, but has heard it is in the range of 200 property owners.

He pointed out the distinction of this road vs. other road improvement districts that have come forward, is that this road has had repeated county involvement over the years.

Wayne Case, Rasor Road, stated he has copies of the easements from the top of Alderwood Road to the far end of the homeowners association. He stated they are recorded documents. He has talked to about 90 people in the past five years and only two were against it becoming a county road, two others wanted more information. He stated he has lived there for 20 years and has been told it is a county easement. He believes the homeowners association, Belfair Acreage Tracts, would be willing to work with the county to connect the road with their area.

Mark Sorenson, Coon Lake Drive North, stated he is concerned with the southern portion. He displayed a hand-drawn map of the area. He talked about how traffic is now using Chelsea Lane and other private roads which impact Trails End Lake. He would like to see Rasor Road service all the developments in the area, including the Morrison/Richardson and Baumgartner developments, the LDS Camp, the sewer treatment plant and other developments that will be occurring. He urged the county to be proactive because the county will continue to grow.

Drew Noble spoke in support of the Rasor Road being established as a county road. He stated the majority of the TIP/CAP are in support.

Jeff Richardson, Buckley, WA, has purchased 440 acres in the area and the portion of road built on the Rasor Road alignment has been built to county specifications including an 80 foot easement. That cost them about \$100,000 over and above what it would have cost them to build. They dedicated that to the county in 1995. He stated they would be happy to dedicate an easement for access to the LDS camp and the sewer treatment plant if the Rasor Road is a county maintained road. He presented a map of his property to the Board.

AJ Stephens, lives between Coon Lake and Trails End Lake, expressed concern with safety for children due to increased traffic. He would like to keep the area as rural as possible.

Constance Ibsen, Union, member of TIP/CAP, stated she has traveled the area with Wayne Case. She assumed this road would be for the people who have come before the TIP/CAP about their needs, however she now believes that this road will service developers. Her initial concern was with stormwater drainage on Rasor Road, however she is now concerned with how this will service homeowners. She urged the Board to look at other comments made by the TIP/CAP committee. She stated Jerry Hauth, in 1999, wanted the TIP/CAP to approve a draft proposal for bringing roads into the road system.

Mr. Hauth again pointed out on the map the area that is under consideration at this hearing. Their intent is to extend this road in the future to reach the property owners further up the hill (Belfair Acreage Tracts).

Annette McGee, Cole Road, asked if it will be a primitive road until the traffic count increases.

Mr. Hauth responded yes, and the threshold is 100 average daily traffic (ADT) count. Primitive roads are maintained and after the 100 ADT is reached, the road standards are improved, such as defining the shoulders better.

Cmmr. Cady asked about the stormwater concern.

Mr. Hauth explained there is the Stormwater Ordinance and they have standards for ditching and other road conditions. They will also follow the standards set forth by Fish and Wildlife and Department of Ecology.

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access. Mr. Baumgartner widened and graveled the road. When Richardson/Morrison developed their area, they graded and graveled the road. The residents have been maintaining the road.

Roy Davis, Chelsea Lane, stated property owners pay \$100 a year for maintenance of the road. He believes Rasor Road would benefit the residents however it is still a longer route.

Annette McGee read aloud Mason County Code 16.20.090(c), "This covenant shall be required when the plat contains private roads. The cost of constructing and maintaining all roads not herein dedicated as public roads shall be the obligation of all the owners of the lots in the plat... . In the event that the owners of any lots served by the roads or streets of this plat shall petition the board of county commissioners to include these roads or streets in the public road system, the petitions shall be obligated to bring the same to county road standards in all respects, including dedication of right-of-way, prior to acceptance by the county." She doesn't know if this applies but she wanted the Board to be aware.

Cmmr. Cady stated she doesn't believe this applies because it is not a road in a plat other than the portion that was already dedicated.

Cmmr. Baze understands the Richardson portion was built to county standards and the other part of the road has been in existence since 1898.

Mr. Richardson asked what is the ADT per household.

Mr. Hauth talked about the average daily trips per household, which usually applies to urban areas. In this area, which is more rural, they will do actual daily counts realizing it will fluctuate with the seasons.

With regard to Mason County Code 16.20.090, Mr. Hauth stated it isn't really relevant to Rasor Road. He referred to his map and explained, as an example, if Mr. Richardson wanted to bring a private road within his development into the county road system, that road would have to be brought up to county standards. The portion of road that was dedicated to the county by Mr. Richardson was built to a standard with the county's involvement and inspections at that time.

Jonathan Katz, LDS caretaker, stated the youth camp has been there since 1969. They previously accessed through the Tacoma Power line road, they have been asked to not use those roads and they are basically landlocked. The church helped develop Cress Drive for access to their property. He believes the improvement to Rasor Road would be of benefit.

Robert Dick, Belfair, stated he has developed property in the area. In 1993 he was initially told Rasor Road was private and it would have to be brought up to county standards in order for the county to take it over. Then he was told it is a county road and it was surveyed showing 20 feet would be taken for right of way. He has been unable to sell property because there were survey markers, then was told there would be a state highway going through there (101 Connector). He believes he was severely damaged because the road situation was unknown and the road is in poor condition. He supports the County maintaining the road.

James Thompson, Belfair Acreage Tracts, stated he brought property in 1980 and has been petitioning to have the road brought up to county standards and then turn it over to the county since it was declared a private road at that time. He presented photos to the Board. He suggested opening up the Pole Line Road which he believes would be less expensive.

Mr. Sorenson stated there seems to be some disagreement on the road count, particularly around Trails End Lake.

Cmmr. Cady stated road counters will be installed.

Mr. Sorenson stated when the Baumgartner development was put in, it was the general understanding that the traffic would access through Trails End Lake. When the Morrison/Richardson development was put in, the understanding was they would access through Rasor Road. What is happening is that everybody is accessing through Trails End

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Dave Loser, ER&R, requested permission to utilize the post for quotes procedures to purchase a replacement AS400 printer.

Cmmr. Johnson/Baze moved and seconded to authorize the Equipment Rental & Revolving Fund Manager to utilize post-for-quotes/telephone bid procedures to purchase a replacement printer. Maximum cost to be \$4,500 plus tax and shipping. Motion carried unanimously. B-aye; J-aye; C-aye.

RECESS

The Board recessed for 8 minutes.

The Board reconvened at 11:05 a.m.

ROMANCE HILL ROAD

Annette McGee voiced concern with Romance Hill Road and the way it was done. She wouldn't have had a problem if the property was originally purchased by the County and then the road was built. She feels it was done illegally.

She read aloud Article 11, Section 14, from the state constitution. "The making of profit out of county, city, town or other public money, or using the same for any purpose not authorized by law, by any officer or having the possession or control thereof, shall be a felony."

She believes this road is making a profit for the developer. She has a problem with the taxpayers subsidizing a road going to a development.

Ms. McGee believes the decision the Board made last week was a wrong decision and asked the Board to rescind their decision until the investigation is complete. She noted it was called a county road project (CRP) before it was county property. She asked about the total cost of the road.

Cmmr. Cady noted that Mr. Hauth made a correction at the last meeting that the crew was not involved in the construction of the road, however there was a delay in bringing the road into the system because of the state auditor. The county had planned to bring the road into the system as soon as the plat was approved. In an effort to protect the road this past winter, because it wasn't into the system, plastic and erosion control measures were put in by road crew and they don't construe that as construction.

Ms. McGee asked the Board to direct the engineer to disclose what is the total cost to the taxpayers, including the administrative costs in pre-engineering, and engineering, inspector costs, design costs, cost of contract to design and build, cost of contract for paving, guardrails, ditching, survey crew. She would like the costs broken down into those categories. She would also like the cost for the drainage work on Highway 3 because of this development.

She also brought up County Code Section 16. She asked if the road was named a public road on the first application of the plat and was it a public road before the Commissioners signed it.

Cmmr. Cady stated it was dedicated on the plat as public. She doesn't believe it was named as a public road on the application.

Cmmr. Baze stated he believes the county benefitted because there is a cost savings to the people because it was developed to county standards from the beginning. He pointed out there is a legal opinion that this was done legally.

Ms. McGee stated she believes the Prosecutor should have been asked if it was legal according to this particular Article in the state constitution.

EARTHQUAKE DAMAGE - PERMIT FEES

Ron Henrickson, Department of Community Development Director, asked the Board approve a resolution to defer permit costs for repairs to earthquake damage.

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BUILDING INSPECTOR III

Mr. Henrickson requested permission to recruit, interview hire for a building inspector III which will be vacated.

Cmmr. Johnson/Baze moved and seconded to approve the Director of Community Development Director to recruit, interview and hire a Building Inspector III. Motion carried unanimously. B-aye; J-aye; C-aye.

AFSCME LOCAL 1504 AGREEMENT

Skip Wright, HR Director, requested the Board approve and sign the 2001 through 2003 agreement with AFSCME Local 1504.

Cmmr. Baze/Johnson moved and seconded to approve and sign the 2001 through 2003 agreement between Mason County and AFSCME Local 1504. Motion carried unanimously. B-aye; J-aye; C-aye.

FUND NAME	WARRANT NUMBER	AMOUNT
Claims Clearing	21178-21179	3,970.80
	21180	200.00
	21181-21373	847,573.40
	21374-21629	86,247.43
Salary Clearing	111273-111506	162,219.00

ADJOURNED

The regular meeting adjourned at 11:34 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Mary Jo Cady, Chairperson

Herb Baze, Commissioner

ATTEST:

Wesley E. Johnson, Commissioner

Rebecca S. Rogers, Clerk of the Board