

## **BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**

**APRIL 17, 2001**

The meeting was called to order at 9:00 a.m. by Chairperson Mary Jo Cady. Commissioners Herb Baze and Wesley E. Johnson were in attendance.

### **CORRESPONDENCE**

#### **LILLIWAUP POST OFFICE**

The US Postal Service notified the County of the environmental assessment, which will be prepared concerning the planned construction of the new Lilliwaup post office located adjacent to 28611 North Highway 101 in Lilliwaup, WA.

#### **TEE LAKE**

Letters were received from the following regarding Tee Lake: Duane R. Johnson and Leland M. DeBaker.

#### **2000 ANNUAL TREASURER'S REPORT**

Treasurer Lisa Frazier submitted the 2000 annual report.

#### **INTERLOCAL AGREEMENT - WASHINGTON COUNTIES INSURANCE POOL**

Received a fully executed Interlocal Agreement between Washington Counties Insurance Pool and Mason County.

#### **FIRE PROTECTION DISTRICT #9**

Nancy Leister, FPD #9 Commissioner, inquired about expediting a substation project, which is to be petitioned to the Western Washington Growth Management Board requesting a variance. Copy referred to Community Development/Planning and the Prosecutor's office.

The Board indicated that there were no comments received about this issue from the other petitioners and they should be able to proceed as soon as possible. They hope to get a blanket approval so fire districts and fire safety related buildings can be approved without an individual request.

#### **COMMUNITY DEVELOPMENT BLOCK GRANT**

The State of Washington Office of Community Development announced that Mason County's application was not selected for funding.

#### **PLANNING COMMISSION**

Drew Noble – (Commissioner District #1) - Applicant  
Richard Ryan – (Commissioner District #1) - Applicant  
Diane H. Edgin – (Commissioner District #1) – Reappointment  
Paula Rioux – (Commissioner District #2) – Resignation  
Rick Coleman – (Commissioner District #3) - Reappointment

#### **BELFAIR UGA PLANNING - APPLICANTS**

Catherine A. Wolf, CPA  
Jack Johnson  
Dan H. Teters, Exec. Dir. North Mason Food Bank

### **BUSINESS**

#### **FEMA STATE AND LOCAL ASSISTANCE GRANT**

Dave Salzer, Emergency Management Director, recommended the Board authorize the chairperson to sign Contract EM 010458 for the 2001 FEMA state and Local Assistance (SLA) grant and the Signature Authorization Form. The total is in the amount of \$175,488. The initial award is \$10,310.

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**Cmmr. Baze/Johnson moved and seconded to concur with the Lewis County Commissioners in the appointment of Edna Fund to the Timberland Regional Library Board of Trustees to fill the unexpired term of Bill Lawrence through December 31, 2001. Motion carried unanimously. B-aye; C-aye; J-aye.**

**AGREEMENT – ECONOMIC DEVELOPMENT COUNCIL**

It is recommended the Board enter into an agreement in the amount of \$5,000 with the Mason County Economic Development Council for calendar year 2001.

**Cmmr. Johnson/Baze moved and seconded the Board enter into an agreement with the Economic Development Council in the amount of \$5,000 for 2001. Motion carried unanimously. B-aye; C-aye; J-aye. Resolution No. 45-01 (Exhibit A)**

**STATEMENT OF AGREED PRIORITY – WRIA 14**

It is recommended the Board concur with the WRIA 14 Statement of Agreed Priority for the Centennial Grant applications.

**Cmmr. Baze/Johnson moved and seconded to concur with the WRIA 14 Statement of Agreed Priority for the centennial grant applications. Motion carried unanimously. B-aye; C-aye; J-aye.**

**LIQUOR LICENSE APPLICATION**

New Application: Tradename: Travaglione's Italian Deli Catering; Applicants: Cheryl & Charles Travaglione; Privileges Applied For: Beer/Wine Rest – Beer/Wine.

**Cmmr. Baze/Johnson moved and seconded the Board has no objections to the liquor license application for Travagliones Italian Deli Catering. Motion carried unanimously. B-aye; C-aye; J-aye.**

(Liquor Control Board to refer to City of Shelton)

**VETERANS ASSISTANCE APPLICATIONS**

Mrs. Melvin L. Sampson – VFW 1694 – Burial \$300.00  
Randy D. Wimbley – VFW 1694 – Housing \$400.00  
David L. Frese – VFW 1694 – Utilities \$61.88  
Michael B. Ong – VFW 1694 – Housing \$400.00

The Veterans Assistance Screening Committee is recommending approval of the above listed applications totaling \$1161.88.

**Cmmr. Johnson/Baze moved and seconded to approve the following amounts for veterans assistance: Mrs. Melvin L. Sampson –Burial \$300.00; Randy D. Wimbley – Housing \$400.00; and David L. Frese – Utilities \$61.88; Michael B. Ong – Housing \$400.00 for a total of \$1,161.88. Motion carried unanimously. B-aye; C-aye; J-aye.**

**HEARING SET – UTILITY EASEMENT REMOVAL**

Kristin French, Community Development/Planning, requested a public hearing be set for May 8, 2001; 9:15 a.m. to consider a declaration of parcel combination and removal of utility drainage easement between Lots 5 & 6 of Lake Cushman, Division 17.

**Cmmr. Johnson/Baze moved and seconded the Board set a public hearing on May 8, 2001; 9:15 a.m. in the Commission Chambers to approve a declaration of parcel combination and removal of utility and drainage easements between tax parcels 42209-54-00005 and 42209-54-00006, lots 5 & 6 located in Lake Cushman, Division 17. Motion carried unanimously. B-aye; C-aye; J-aye.**

**MCRA WATCHPERSON CONTRACT**

Mike Byrne, Tourism & Recreation recommended the board enter into a contractual employment agreement with Hilton & Lou Ellen Malone to serve as the watchperson for MCRA.

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Bob Fink, Planning Manager, presented a staff report. He explained that on February 27, 2001 the Board established a moratorium on card rooms in the unincorporated areas of Mason County and called for a hearing to take public comment.

It was recommended that the board confirm the action to adopt Ordinance No. 20-01, which imposed a 6-month moratorium on the establishment, location, or permitting of card room, gambling establishments, and game parlors with social card games within the unincorporated areas of Mason County.

Annette McGee asked if this includes the ones that are already present.

The Board responded those establishments already in existence are grandfathered. This would address only new establishments.

**Cmmr. Johnson/Baze moved and seconded to confirm the action to adopt Ordinance 20-01 which imposed a 6 month moratorium on the establishment, location, or permitting of card room gambling establishments, and game parlors with social card games within the unincorporated area of Mason County.**

**RECESS**

The Board recessed at 9:37 a.m. until 9:45 a.m.

**HEARING – HEARING EXAMINER ORDINANCE**

A hearing was held at 9:45 a.m. to consider an interim action to stay the effectiveness of Ordinance No. 129-00 until 9/1/01.

Ordinance No. 129-00 established an office of hearings examiner and assigned to the hearing examiner various duties currently done by the Board of Commissioners, the Planning Commission, the Building Code Board of Appeals, and the Health Officer.

Bob Fink, Planning Manager, stated that on March 6, 2001 the Board stayed the effectiveness of Ordinance No. 129-00 until September 1, 2001. This was accomplished by adoption of Interim Ordinance No. 25-01. The hearing is being held to provide review of the action.

Annette McGee asked what is behind the requirement for the hearing after the adoption of the ordinance.

Bob Fink, Planning Manager, explained that the provision is in the Growth Management Act and provides for only an interim adoption of land uses regulations. The provision is that the ordinance can be adopted for a six-month period.

If they are adopted without a public hearing, a hearing must be held within 60 days of the action. It is intended to address cases where a moratorium is needed before some regulation is addressed to keep people from investing under current law or otherwise deal with an urgent situation where there is not time to go through the full public process necessary to adopt a permanent ordinance.

Mrs. McGee asked that the Commissioners throw this out completely. She did not think Mason County should hire a hearings examiner. Mason County is a third class county. She felt that the public has no say over who the commissioners hire to do the job. The public does have a say over the commissioners.

The Board explained that it is the Commissioners intent for the normal process to happen. In the past, there has been

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It was urged that the board think this through.

The Board commented that they would be taking from the Prosecutor's workload and giving it to the hearings examiner.

Marilyn Johnston, Planning Commission Member, expressed that part of their concern when they examined the hearings examiner position was if the Planning Commission was not involved in the platting issues they could get back to things that were larger in scope and the original intent and could forward to the commissioners a cogent argument.

The Board interjected that their concern with the Hearings Examiner document as it was originally written was that it took the quasi-judicial role away from the Commissioners. They chose to have a moratorium rather than throw it out completely, they want to rewrite the document so it allows the commissioners to address the quasi-judicial issues. It would still allow the hearings examiner to pick up the other issues that wouldn't normally come to the commissioners.

Also, prior to the Planning Commission's involvement in Growth Management, the duties were mostly plats and subdivisions. It is hopeful that the GMA would diminish and the Planning Commission would only have the platting and subdivision issues.

**Cmmr. Baze/Johnson moved and seconded that the Commissioners confirm the action to adopt Ordinance No. 25-01, which provided that Ordinance No. 129-00 be stayed until September 1, 2001. Motion carried unanimously. B-aye; C-aye; J-aye.**

**RIGHT-OF-WAY AGREEMENT – ANTHONY ROAD**

Jerry Hauth, Public Works Director, with Kenneth E. Binns for Anthony Road

**Cmmr. Johnson/Baze moved and seconded the Board execute the right-of-way and road construction agreement between Mason County and Kenneth E. Binns for road improvements adjacent to his property on Anthony Road. Motion carried unanimously. B-aye; C-aye; J-aye.**

**AUTHORIZATION TO POST, ADVERTISE, INTERVIEW & HIRE – ROAD CREW**

The Board heard the request of Public Works Director to post, advertise, interview and hire to fill the position of Operating Engineer for the Mason County Road Crew. Johnny Free has been transferred to the position of GIS Technician and left a vacancy.

**Cmmr. Baze/Johnson moved and seconded the Board authorize the Department of Public Works to post, advertise, interview and hire to fill the position of Operating Engineer for the Mason County Road Crew. Motion carried unanimously. B-aye; C-aye; J-aye.**

**AUTHORZIATION TO POST, ADVERTISE, INTERVIEW & HIRE - ENVIRONMENTAL SERVICES MANAGER**

Mr. Hauth recommended the Board authorize to advertise, interview and hire a new environmental services manager. Doug Swanson will be leaving effective April 27, 2001.

**Cmmr. Johnson/Baze moved and seconded the Board authorize the Department of Public Works to advertise, interview and hire to fill the position of Environmental Services Manager. Motion carried unanimously. B-aye; C-aye; J-aye.**

**LOCAL AGENCY AGREEMENTS – MCLAIN COVE & HARSTINE BRIDGES**

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**CRP 1703 – HARSTINE BRIDGE ROAD**

Mr. Hauth recommenced the Board approve CRP 1703 for the repairs to the Harstine Bridge Road due to the earthquake.

**Cmmr. Johnson/Baze moved and seconded the Board execute CRP 1703, Harstine Bridge Road. Motion carried unanimously. B-aye; C-aye; J-aye. Resolution No. 46-01. (Exhibit B)**

**ROMANCE HILL ROAD**

Annette McGee expressed her opposition to the county building a road (Romance Hill Road) that ends in a cul-de-sac of which \$237,734 has been spent to date. She understood the project was identified as CRP 1617 before the County was granted the right-of-way by the developer. She stated she did not anticipate the County would get a crossing on the railroad tracks from the United States government for this project.

**LETTER OF AGREEMENT– ENGINEER’S GUILD**

Human Resources Director Skip Wright asked that the Board approve a Letter of Agreement amending the wage appendix with the Engineer’s Guild bargaining unit for the GIS Technician position.

**Cmmr. Johnson/Baze moved and seconded to approve and sign the Letter of Agreement with the Engineer’s Guild, which amends Appendix I by adding the job classification of GIS Technician at the salary of \$2,573 - \$3,056 per month. Motion carried unanimously. B-aye; C-aye; J-aye.**

**AMEND NON-UNION SALARY RANGE ALIGNMENT**

Mr. Wright requested the Board approve an amendment to the Non-Union Salary Range Alignment by deleting the old GIS program coordinator range 5 and adding GIS Technician position. It will be a range 7 and the minimum/maximum will be the same as the rates in the Engineer’s Guild.

**Cmmr. Baze/Johnson moved and seconded to approve Resolution No. 47-01 which amends the Non-Union Salary Range Alignment by deleting the title of GIS program coordinator at range 5 and adding the title of GIS Technician at Range 7. Motion carried unanimously. B-aye; C-aye; J-aye. Resolution No. 47-01 (Exhibit C)**

**CERTIFICATE OF GOOD PRACTICE**

The Board presented a Certificate of Good Practice to the Public Works Director in accordance with RCW 36.78.090.

**APPROVAL OF WARRANTS**

<b>FUND NAME</b>	<b>WARRANT NUMBER</b>	<b>AMOUNT</b>
Claims Clearing	22522-22788	\$416,791.57
Salary Clearing	112064-112303	\$167,912.00

**ADJOURNED**

The meeting adjourned at 10:25 a.m.