

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

**MAY 17, 2001**

The special meeting was called to order at 6:00 p.m. at the North Mason High School Auditorium, E 50 North Mason High School Road, Belfair.

### **CORRESPONDENCE**

Communications were received from the following individuals regarding Tee Lake:

Clift Michael E , Chief Deputy Prosecutor; Creed David L Sr.; Day Gary; Day-Odegaard Terri; Dearinger Soon Ja; DeBaker Leland M; Doyea Robert; Duppenenthaler Mark; Duppenenthaler Michele; Egan James; Hoffman Donald; Johnson Duane; Johnson Ginger; Johnson Wendy; Kennedy Carolyn S; Kennedy Thomas L; Loeffers Bernie; Loeffers Linda; Mayer David; Mayer Elisabeth; Michael George M; Michael Joyce; Monk Melvin; Murker Pamela; Percival Trish; Pollock David; Pollock Sheila; Sheriff Steve Whybark; Sigo Jacob; Sunderlin Glen; Sunderlin Patricia; Veit Herb; Veit Marilyn; Vincent Carol; Vincent Charlie; Walters Karla; Walters Ken; and Weston Jerry

### **BUSINESS**

#### **HEARING – TEE LAKE**

The Board held a public hearing to consider the petition to ban internal combustion engines on Tee Lake for public boating safety, environmental preservation and to enhance public use of the waterway. Public comments were received from the following:

Jim Egan - 1191 Tee Lake Road - Has lived at Tee Lake for approximately ten years. He did not believe any action is necessary at this time. He has an unobstructed view down the length of the lake. He has never seen an accident or heard of an accident attributed to excessive lake use. The reason he bought property on the lake was to enjoy the activity. They only actively use the lake a couple of times a year and value the right to do so in the manner allowed when he bought the property. He would like the lake healthy and pays higher taxes to live on the lake and therefore does not want the lake damaged, as it would adversely affect his property value and change its use. He is unaware of any documented evidence to the lake by its present use.

Don Hoffman - 1319 S. 35th St Tacoma, WA; (NE 241 Tee Lake Road S 1/2 of Lot 7). He has owned property since 1967. There were 12 cabins on the lake when he first moved to the area. It has developed into beautiful homes. He has seen an accident in the mid-1980's. A water-skier came in next to their dock. A ski rope got caught around the outboard motor and flipped a 12' boat over and dumped his daughter and fiancée in the water. They were okay and approximately 2 – 3 days later they were able to find the fishing equipment that had dumped out of the boat and into the mud. Since then there were big boats excessive of 20' on the lake. He expressed support of the ban.

Richard Edwards – 791 Collins Lake Drive – Expressed he did not believe there should be a total ban of all combustion engines. He determined the lake was not big enough for his 17' ski boat. He suggested limiting the size of the vessel or horsepower.

Caroline Kennedy – 141 NE Tee Lake Rd – Noted she resides full time at her residence on the south end of the lake and supports the ban. By law deadheads had to be left in the lake and there are approximately four logs that stretch out to the lake approximately 40 – 70' and she has a real concern about liability. It is extremely difficult for the boats that come down and turn to stay within the legal boundaries. If a boat is pulling a skier or someone on an innertube a lot of times as they are going around the arc they are within the 150' of the shoreline. She questioned who is liable if someone gets hurt on the logs.

A question was raised if the water level has gone down on Tee Lake.

Mrs. Kennedy responded they did not have to move their canoe this year and normally at the end of September or October they always have to move it up or it will float away. Their canoe is sitting in the same spot that it was in August.

Frances Miner – Stated she has owned five lots on Tee Lake since 1969. The tranquility they found when they first owned property has disappeared. An air mattress or innertube is normally a risky adventure, but it is multiplied when there is a jet skier or fast boat towing a water-skier.

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Survey. In June 1950 Tee Lake was surveyed at 47 surface acres. It is listed as 38.4 calculated acres from an aerial photograph or grid map. He asked what they are adding to or increasing by enacting a ban. He did not support the ban.

Dan Murker - Wooten Lake – Expressed that his family lives on Tee Lake. He felt that people need to be educated, courteous and follow the rules that are published. He noted that he has gathered data from a resident of 53 years at Wooten Lake that is familiar with Tee Lake.

Rochelle Guimont – A resident of Tee Lake for 14 years – The reason they purchased property was it was a water-skiing lake. She stated she has not noticed any problems. People seem to take turns and go out on the lake. There is not a lot of water skiing or jet skiing on the lake. The actual days people water-ski and jet ski is approximately 30 days. There are weeks and months that people don't use the lake. She noted that she took a sample of the lake's water to the County Public Health Services Department and it was tested and determined that there are no bacteria in the water. She was concerned about property value loss and did some research which seems to indicate there is a price difference in what people pay to live on a lake with water-skiing or jet skiing compared to paddle boats and row boats. She compared Tee Lake with Haven Lake (motor) and Collins Lake with Maggie Lake (rowboat).

Corey Sollum – Tee Lake Lot 79 – Voiced his opposition to the ban. He stated he is a third generation family and has owned property for over 40 years on Tee Lake. He has water skied every summer and has never had an accident. He concurred that there is evidence the lake is clean.

Arnt Tiberio – Stated he is a family friend for the last 15 years with the Sollums. He reiterated they have water-skied and jet skied for the past 10 years and at no point have they seen an accident. There is noise during the weekends for 2 – 3 months out of the year. He stated he is against the ban.

Tim Johnson – Noted he supports the ban of internal combustion engines on Tee Lake. There is a safety-related problem. The records indicate the lake is 38 acres with up to 6 – 7 acres of unnavigable marsh and wetlands which leaves about 31 acres for skiing or aggressive use. It does not seem fair for someone to introduce a high-speed boat or jet ski onto a lake. It is the smallest lake in western Washington with no restrictions.

Tom Kennedy - 141 Tee Lake Road – Voiced his support for the opposition to the ban. He stated he has seen individuals on personal watercraft jump the dead head logs which is very unsafe.

Dave Creed - 591 NE Tee Lake Road – Stated he has been a full time resident for 3 years and is strongly against the ban on internal combustion engines. The core issue is growth and banning boat motors would discourage like-minded citizens from using and enjoying the lake in a matter that they are accustomed. He noted there is report from the Washington State Department of Ecology that there are no water quality issues from the last 5 years. He stated when he searched for a home in Mason County he looked for an unrestricted lake where he could use a ski boat or personal watercraft. He found a list of lakes that could be used for water-skiing from the realtor. There are approximately 100 lakes in the County and less than one dozen can be used for water-skiing and personal watercraft. In five years, except for 1998, there were no incident reports. He asked that the Board leave the lake as it is with no restrictions.

Michelle Duppenthaler – NE Tee Lake – Has owned Lot 84 for 5 years. They do boat on the lake and as long as everyone is considerate to each other they are fine. The traffic is non-existent except for the three major holidays. She read letters from Marilyn Veit, and Duane & Wendy Johnson that oppose the ban but were unable to attend the hearing.

Gerald Micono - 1301 NE Tee Lake Road – Stated he has lived at the lake since 1985. He stated that there are regulations on the lake that address 6-mph with no wake within 150' of shore and 50 mph out in the middle of the lake.

Dave Mayer - 2161 Tee Lake Road – Spoke in support of prohibiting internal combustion engines on the lake. They have seen many dangerous boating incidents on the lake. Many boaters ignore the posted boating regulations. They routinely see high-speed watercraft breaking the speed limit along the shore near the public landing and near unpowered watercraft and swimmers.

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ski. He urged the Board to consider banning internal combustion engines or at the least, limiting the engine size to 9.9 hp.

Jean Day – Expressed she and her husband bought property at Tee Lake in 1977 and has enjoyed the lake. She related a personal incident with a paddle boat where a jet ski and powerboat went by and causing a large wave action. Due to the narrowness of the lake the wave action slammed her paddleboat into the side and stopped her from crossing the lake by boat. She concurred that the majority of the action takes place in the summer time. She asked that the board consider the ban of internal combustion engines.

Geary Michael – Purchased Lot 15 on Tee Lake in 1960. Also purchased Lot 14 ten years later.

Walter Schultz - 2141 Tee Lake Road – Stated he has been a permanent resident for 14 years. He spoke in favor of a ban. He is not for a complete ban on motors, but enforcement of restrictions on the center of the lake is needed.

Stephen McKimson - 274 NE Tee Lake Road – Urged the Commissioners to stick with the facts why the petition was brought forth: safety. There is a Sheriff's report with no accidents and hardly any reports in the last five years.

Ken Walters – Noted he has owned a residence on Tee Lake since 1979, which his family uses. He voiced his support for the ban.

Carla Walters – Also spoke in favor of the ban. They bought their property when their children were young and they learned to swim. There is a lot of peat at the bottom of Tee Lake and it is necessary to swim a ways out to get away from the peat. A swimmer has to compete with the jet skis and rubber boaters. It used to be 15 - 20 years ago when one family came out to water ski they took turns with the second family on the lake that wanted to water-ski. Now there are so many more boats that anyone wanting to swim has a difficult time getting to the lake.

Jerry Hauth - NE 351 Tee Lake Rd – Has lived at Tee Lake for 6 years and opposes the ban. He questioned if they could photograph situations at the lake and it would be something the Sheriff could follow up to contact the individual.

Sheriff Steve Whybark responded, yes, and stated they used this approach at Lost Lake and followed up on an investigation.

Blanche Wynne - 2233 NE Tee Lake Way – They purchased property in the 1970's and recently built a home and enjoy being out on a lake. She would like to be able to sit by the lake and have some peace and quiet. She suggested having those who oppose the ban have three months of the year and the boaters have the other nine months and then reverse it every year.

Joellen Wolf -- 2301 NE Tee Lake Road – Stated she is interested in her grandchildren's activities on the lake. It is the people policing themselves that count. She did not believe that banning internal combustion motors is the problem. People should be made aware of the rules of boating and police themselves.

Jerry Weston - NE 121 Tee Lake Road - Explained that he has lived at the lake for 7 years and is supportive of banning internal combustion engines. He has had his grandchildren run off the lake by the high powered watercraft because of the speeds and wakes they create. The lake has turned into a mud hole from the watercraft that has churned up the silt on the bottom of the lake and also the grass floating on the surface of the lake which make swimming and fishing impossible. He purchased the property because of the lake's small size. He did not believe it is a property rights issue, but a common sense issue. He questioned what benefits the citizens and property owners of Mason County the most; high powered watercraft on Tee Lake or limited use power on Tee Lake.

Marilyn O'Dowd – Stated she lives in Seattle during the week and on the weekends lives at Tee Lake. She has owned Lot 27 since 1984 and has seen the size and frequency of motorboats of personal watercraft increased dramatically. Most are not compliant with the motorboat code of Mason County. High speed and wide turns leave little room for anyone else in non-motorized vessels or for swimmers. She did not believe that speed boating and jet skiing are not compatible with fishing. The noise bounces back and forth across the water making even non-water activities difficult. She stated she is in favor of banning the internal combustion motors.

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April Cassell -- A lot of higher priced parcels are on waterfront property in the County. She believed there are a lot of noxious weeds that affect lakes as well as rivers and streams. The noxious weeds inhibit fish and swimming. She stated she is in support of activating a weed board. There are ten invasive exotic aquatic plants that can become a nuisance for lakes in Washington. She felt it was time that Mason County started a noxious weed board. She stated the County needs experts to identify the noxious weeds. She felt that the citizen's proposal of \$1.00 per parcel and \$.10 per acre is money well spent.

Judd Reynolds – He questioned why should taxpayers have to pay money on federal lands to fight marine growth. So far in counties that are bordered by saltwater are still having a problem. The marine growth has never been cured. He questioned how the County would launch an attack on unwanted growth along the beach of Squaxin Island. He questioned who would do monitoring for the noxious weed control board. What kind of transportation will be provided if any, would they be provided a mileage reimbursement or a vehicle. He questioned how the volunteers willing to fight the noxious weeds would be transported throughout the County. He anticipated that the program will exceed \$75,000 annually.

The Board questioned if he would be in favor of a noxious weed control program if there were a way to implement it without assessing the property owners.

The County has been made aware of some federal funds which will be coming back to the county which are in lieu of federal forest dollars the County is not getting now. They are coming with a lot of strings, which would allow the County to use some of the funds for a weed board if that were the best use of the funds. The County could use the funds without implementing an assessment. The County could have a staff member to take a look at what is going on with weed boards across the state.

Connie Adams – The main reason the County needs a weed board is Pierce County has complained about weeds encroaching on their property. She understood that the State would come in and require that Mason County pay for it.

Nancy Ness stated there are 36 different sites that Pierce County has identified that Department of Agriculture is in the process of considering control.

Irene Goldsby – Questioned if Mason County has looked into other counties as to how they administer their weed board, the cost or outcomes. She suggested an advisory board rather than have to spend a lot of money on a weed board. She stated she is not in favor of a weed board at this time though she does not object to some form of control.

Ron Ross – Stated he serves on the Kitsap County Noxious Weed Control Board. There are five members and they have been active for approximately two years. He recommended that Mason County volunteer organizations work with existing government entities such as the Cooperative Extension office and/or Soil Conservation District. The State has two employees on their noxious weed control board. He suggested that the County check to see if the state has conducted a survey of noxious weeds in Mason County. He felt the weed control board is mostly educational unless they get into a police operation.

Sandi Dunlap – Voiced support for establishment of a noxious weed control board or program. She felt it needs to be a cooperative effort amongst all the property owners of Mason County. The agricultural interests, timber interest, the shellfish interest, residential, commercial and governmental entities. He viewed a weed control program as a one stop-shopping concept for those in need of information on weed control. It would eliminate the frustration of being shuttled around from agency to agency, department to department and never getting the information to control weeds. The Weed Board would provide identification of weeds, information on how to best control the weeds, show the property owner how to do those control methods, what time of year to do the control, pulling weeds, herbicide application, maintain a list of certified herbicidal applicators and simplifying the informational gathering process.

Louis Cofoni – He questioned if the weed board would be responsible for all of Mason County.

The Board responded it would be for the entire county.

Mr. Cofoni asked if Mason County has any pamphlets or brochures, which identify different noxious weeds with a

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Mary Swoboda – Stated she has done research on the internet on weed control boards and particularly Douglas County, as they do not have a weed control board. Douglas County has chosen not to have a weed control board and has felt there are other avenues such as the cooperative extension agent who can educate the public on noxious weeds. They have a great website with a lot of information on noxious weeds and are also referred back to the state weed control board website. The Mason County Assessor's office provides information that there is 35,770 acres of improved land, which means 8% of the total amount of acreage. The unimproved land is 41,033. There is 17% of all land owned by small property owners. The exempt land which is not taxed is 18% (includes DNR and other government agencies); 64% of the land is owned by timber companies.

Shirley Willickson – Expressed her interest in a weed board is more related to problems with weeds growing in the water. The Eurasian Milfoil plant has grown in Mason Lake. They went to the legislature for funding rather than forming a self-taxing district. They were able to obtain funding and have it administered through the Mason County Public Health Services. The situation with the dry land weeds is an educational process for people to contact a central entity to help them with their problem. The water situation is somewhat different when chemicals are being introduced in the water. The other options of pulling the weeds are expensive. The problem with Eurasian Milfoil is so easily spread throughout the county that in the future the County can be facing serious problems with people purchasing chemicals out of the area and throwing it in the water. She urged the Board to consider activating a noxious weed control board and also look for funding that would not put an extra burden on the taxpayers if at all possible so there can be a weed board and try to help the county educate the citizens.

The Board noted that Cmmr. Johnson will be part of a committee on deciding what will happen with the federal money that comes in. There are many people that sit on the board and decide what happens with the money. It is in Jefferson, Clallam and Mason Counties. There is money dedicated strictly for Mason County. There will be a staff person looking at what other counties are doing with weed boards. If no action is taken to activate a noxious weed control board with one year of the hearing date there is a different process that would occur.

The Commissioners will be talking with the Executive Director of the State Noxious Weed Control Board.

**ADJOURNED**

The special meeting adjourned at 9:10 p.m.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

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Mary Jo Cady, Chairperson

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Herb Baze, Commissioner

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Wesley E. Johnson, Commissioner

ATTEST: