

BOARD OF MASON COUNTY COMMISSIONERS PROCEEDINGS

JUNE 5, 2001

The meeting was called to order at 9:05 a.m. by Chairperson Mary Jo Cady. Commissioner Wesley E. Johnson was in attendance. Cmmr. Herb Baze was attending a Growth Management Hearings Board meeting.

CORRESPONDENCE

PROPOSED REGULATIONS - TEE LAKE

Correspondence was received from the following individuals regarding Tee Lake: Herb & Marilyn Veit; Carol & Charlie Vincent; Dennis L. Miner; Walter & Arlene Schultz; David W & Elisabeth Mayer; Jerry R. Weston; Bill Thompson; LeLand M. DeBaker; Ginger Johnson; David Creed; and Telma Hauth.

SKOKOMISH FLOODPLAIN

Carolyn Hinds asked that her house be raised out of the floodplain.

BUILDING PERMITS

A letter was received from Dean Ricker expressing concern for the delay in processing a building permit.

BUREAU OF INDIAN AFFAIRS

The United States Department of the Interior gave notice that they have for consideration an application for acquisition by the United States of a 2.5-acre tract to be held in trust for the use and benefit of the Squaxin Island Tribe.

AT&T BROADBAND

Notification was received that AT&T Broadband will be implementing certain adjustments to the service, equipment and installation prices on July 1, 2001.

SQUAXIN ISLAND TRIBE

The Squaxin Island Tribe submitted a copy of their Annual Report.

2000 CENSUS

Received the Profile of General Demographic Characteristics: 2000 for Mason County.

HOUSING AUTHORITY OF MASON COUNTY - REAPPOINT

Patricia A. Johnson - Effective July 2, 2001

BELFAIR SUBAREA PLANNING - APPLICANT

Steven E. Rose

Judy G. Scott

MASON COUNTY FAIRGROUNDS

A request was received from Annette McGee to schedule a hearing to take testimony regarding the Mason County Fairgrounds and Convention Center.

BUSINESS

VETERANS ASSISTANCE

Mrs. Epifanio (Mary) Longoria - VFW 1694 - Food \$200.00

David A. Wolgamott - VFW 1694 - Housing \$268.00

The Veterans Assistance Screening Committee is recommending approval on the above listed applications totaling \$468.00.

Cmmr. Johnson/Cady moved and seconded to approve the Veterans Assistance application for Mrs. Mary Longoria, \$200 food and David Wolgamott, \$268 housing. Motion carried unanimously. B-absent; J-aye; C-aye.

HEARING FAIRGROUNDS LOCATION

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Cmmr. Johnson/Baze moved and seconded to authorize the Chair sign all the certifications for intergovernmental agreement for the jail grant No. 96-CV-V-0053, Contract #CSEC 5313. Motion carried unanimously. B-absent; J-aye; C-aye.

SET HEARING - UTILITY DRAINAGE EASEMENT REMOVAL

Kristen French, Planning, requested the Board set a public hearing on 7/3/01 at 9:15 a.m. to consider the removal of utility and drainage easements between tax parcel numbers 32316-50-00005, 32316-50-00006, and 32316-50-00007, lots 5, 6, and 7 located in Edge Wood Beach Division 1.

Cmmr. Johnson/Cady moved and seconded to set a public hearing on 7/3/01 at 9:15 a.m. to consider the removal of utility and drainage easements between tax parcel numbers 32316-50-00005, 32316-50-00006, and 32316-50-00007, lots 5, 6, and 7 located in Edge Wood Beach Division 1. Motion carried unanimously. B-absent; J-aye; C-aye

CONSOLIDATED SERVICES CONTRACT AMENDMENT

Steve Kutz, Health Services Director, requested the Board authorize the Chair to sign the Consolidated Contract Amendment (2) (Contract No. C08651(2)).

Cmmr. Johnson/Cady moved and seconded to approve and authorize the Chair to sign the Consolidated Contract Amendment (2) (Contract No. C08651(2)). The amendment provides the carryover of \$21,310 Local Capacity Development Funds, and an additional \$681 Tobacco state funding, \$9,717 for the Immunization program, \$1,016 Tobacco federal funding. The amendment increases the contract by \$32,724 with the revised total maximum consideration not to exceed \$230,692. Motion carried unanimously. B-absent; J-aye; C-aye

INSURANCE AGREEMENT - WASHINGTON TEAMSTERS WELFARE TRUST

Skip Wright, Human Resources, requested the Board authorize the Chair to sign the subscription agreement between Mason County, the Mason County Engineers Guild and the Washington Teamsters Welfare Trust for the Engineers Guild.

Cmmr. Johnson/Cady moved and seconded to approve and authorize the Chairperson to sign the subscription agreement between Mason County, the Mason County Engineers Guild and the Washington Teamsters Welfare Trust to provide continued medical insurance coverage for members of the Engineers Guild. Motion carried unanimously. B-absent; J-aye; C-aye

LAKELAND VILLAGE SEWER COLLECTION SYSTEM

Gary Yando, Utilities and Waste Management, requested the Board authorize the Chair to sign the agreement between Triton Marine Construction Corp. and Mason County.

Cmmr. Johnson/Cady moved and seconded to approve and authorize signature by the Chairperson to the agreement between Triton Marine Construction and Mason County which provides for them to construct the Lakeland Village Sewer Collection System, included, at this time, are schedules A&C at a cost of \$4,944,085.90. Motion carried unanimously. B-absent; J-aye; C-aye

Cmmr. Johnson/Cady moved and seconded to approve the notice to proceed and authorize signature thereto by the Chairperson (if available) or the Director of Utilities and Waste Management, upon receipt. Motion carried unanimously. B-absent; J-aye; C-aye

SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT - Proposal to construct an upland boathouse on Case Inlet; Applicant: Norbert VanDam

Grace Miller, Planner, presented the staff report. The proposal is for a 24 foot by 25 foot boathouse with loft and includes a wooden or concrete boat ramp. The ramp will end 15 feet from the ordinary high water mark. The boathouse is to be used to store kayaks and canoes that will be hand carried to the water when used.

As designed, this proposal is consistent with the Shoreline Management Act and the Mason County Shoreline Program, subject to the following conditions:

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5. Routine inspection and maintenance of all sediment and erosion control devices shall be maintained both during and after development of the site.

6. The proposed project must be consistent with all applicable policies and other provisions of the Shoreline Management Act, its rules and the Mason County Shoreline Master Program.

Cmmr. Cady talked about the setback from the water. She asked why is it two stories.

Ms. Miller stated there is a loft upstairs and they are looking at it like it could be used for accessory living quarters. The ramp is 15 feet back from the OHWM, the building is approximately 35 feet back.

Cmmr. Cady referred to a project at Fawn Lake which had to be 120 feet back. She asked why this structure doesn't have to be as far back.

Ms. Miller replied the adjacent residences are too far away to include in determining the common line setback. One of the residences is over 120 feet from the shoreline, so it is disregarded in determining the setback. At Fawn Lake, the adjacent home is within 120 feet of the shoreline so it is used to draw the common line that is drawn between the rooflines of the adjacent neighbors. These homes are either too far from the shoreline or too far from the side of this project. In an urban area, it is 150 to the sides and 120 feet back from the water when they are considered in the common line determination.

Cmmr. Cady confirmed this has an urban designation.

Cmmr. Johnson asked if the view impacts have been considered.

Ms. Miller replied, yes, according to the regulations they can be located where they are proposing to be.

Cmmr. Johnson confirmed that currently there is no residence on the property.

Ms. Miller replied there was a home there and they plan to build a residence in the future, which will have to go through it's own permitting process. They are proposing a home about 240 feet back from the shore which is outside the shoreline jurisdiction.

Cmmr. Johnson/Cady moved and seconded to approve Shoreline Substantial Development Permit, SHR2001-00009 with the six conditions as presented by staff and authorize the Chair to sign the Findings of Fact. Motion carried unanimously. B-absent; J-aye; C-aye

HEARING - Consider supplemental appropriations in the amount of \$49,800 for the Current Expense Fund and \$5,000 for the Employee Recognition Fund.

Ione Siegler, Budget & Finance, requested the Board approve the supplemental appropriation to the Current Expense Fund in the amount of \$49,800 and \$5,000 to the Employee Recognition Fund.

The unanticipated beginning fund balance in the Current Expense Fund is to be used for the following: an increase in the Prosecutor's salary; an operating transfer to finance the employee recognition program; an overtime expenditure line for the Facilities & Grounds Department; the Sheriff's purchase of a trailer to haul the skid car; additional unbudgeted costs of the new Treasurer; reclassification of the Human Resources Administrative Secretary position; training time for the replacement of a retiring Clerical IV in Community Development; payment of accrued vacation and sick leave to the retiring Clerical IV in Community Development, and accrued vacation for park aides.

Cmmr. Johnson/Cady moved and seconded to approve the Supplemental Appropriation to the 2001 Budget in the amount of \$49,800 for the Current Expense Fund and \$5,000 for the Employee Recognition fund as presented. Motion carried unanimously. B-absent; J-aye; C-aye (Exhibit A)

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replacement fixed pier is 6 feet wide x 224 feet in length. All fixed pier structure will be supported on piles located at 19 feet 6 inches on center. Decking and support framing will be Chemonite-treated wood. Ramp will be refurbished galvanized steel from existing facility. All floats to be pressure-treated wood framed structure supported on 3-inch thick plastic shell, filled with fitted styrofoam blocks. Floats to be anchored to supporting piles, as shown on attached drawings.

As designed, the project is consistent with the Mason County Shoreline Master Program Chapter. Staff recommends approval of the proposal subject to the following conditions:

1. The pier, ramp, float and associated moorings shall be located to avoid shading of eelgrass and other aquatic vegetation.
2. Floatation for the structure shall be entirely enclosed and contained to permanently prevent the breakup or loss of the floatation material into the water.
3. Debris or deleterious material resulting from construction shall be removed from the beach area and project site and shall not be allowed to enter waters of the State.
4. Developers and individuals shall be required to control erosion during construction. Removal of vegetation should be minimized and any areas disturbed should be restored to prevent erosion and other environmental impacts.
5. The surface of floating structures shall be a minimum of eight inches about the surface of the water.
6. All floating structure shall include intermittent supports that run parallel to the shoreline to keep structures off the tidelands at low tide.
7. Pressure treated wood must be completely dry prior to placement in water. Use of creosote or pentachlorophenol is prohibited.
8. All other necessary permits from Mason County, Washington State and/or Federal Agencies that are required for this proposed development and construction must be obtained prior to same development and construction and adhered to upon completion of the development

Public comments in support of the project were received from Carol Johnson, Cynthia Sund, Margene Field and Jack Janda.

Bob Boehm, Agent/Engineer for Port of Hoodspport, stated this project actually started in 1998 when the facility suffered storm damage. The Port, at that time, spent \$17,000 replacing all the steel connections. The Washington State Interagency for Outdoor Recreation approved funding for the project in 1999, however the permitting process was held up due to the save the salmon issue. Originally the Corp of Engineers said the project needed to be in the same footprint, however eelgrass was discovered and there were several design changes and meetings with the Department of Fisheries. He stated the marine biologist who performed the underwater work has stated the actual beds of eelgrass at this site are marginal and the conditions are not conducive to extensive eelgrass growth.

Mr. Boehm pointed out Hoodspport is a chronically depressed area. It needs tourism support and this pier is vital to that. He expressed frustration with fisheries personnel who believe the eelgrass is as important as the people of Hoodspport are and no consideration is given to the economic impacts.

Cmmr. Cady asked if all the existing piles will be replaced.

Mr. Boehm responded yes, they will all be replaced because it being realigned out of the existing footprint and the old pilings will be removed.

Kerry Holm, Port of Hoodspport Commissioner, stated that they are also removing an additional four creosote pilings from neighboring property that have been determined to be a navigational hazard.

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Mr. Boehm said all existing materials will be replaced.

Cmmr. Cady asked about shading of eelgrass in the new southerly location.

Mr. Boehm responded that in their negotiations with Fisheries, they originally had proposed having grating down the center. Fisheries indicated their preference would be no grating and reduce the width of the floats.

Cmmr. Johnson thanked Mr. Boehm and the port commissioners for their persistence in following through on this project.

Cmmr. Cady asked if the Port was in agreement with the findings of fact and the conditions.

Mr. Boehm stated yes, they will meet them all.

Jay Johnson, Port of Hoodspport, stated he has had support from the Port in pursuing this project.

Mr. Holm considers himself an environmentalist and stated he is very proud of this project. His problem with ESA caring about the species with no regard to time, money or people is that good projects cannot be built. He explained this project reduces the net shading and creosote pilings will be removed. They are able to use chemonite pilings although originally Fisheries wanted steel piles which are three times more expensive.

Cmmr. Johnson asked Mr. Holm if he had to modify any of his environmental beliefs to support this project.

Mr. Holm responded he has not had to compromise his ideals at all and is very proud of the project.

Marty Ereth, Skokomish Tribe, expressed support of this project.

Cmmr. Cady asked the revised findings of fact be identified as exhibit 1; and the revised site map as exhibit 2.

Cmmr. Johnson/Baze moved and seconded to approve Shoreline Substantial Development Permit (SHR2001-00007) for the Port of Hoodspport as conditioned by staff with the eight conditions. Included are exhibit 1, revised findings of fact and exhibit 2, Plan View-Revised Pier & Float Location. Motion carried unanimously. B-aye; J-aye; C-aye.

INTERIM AMENDMENT TO RESOURCE ORDINANCE

Ron Henrickson, Director of Community Development, requested the Board adopt an ordinance to adopt an interim amendment to the Mason County Resource Ordinance and set a hearing on 6/19/01 at 10:30 a.m. to take public testimony on this action.

Cmmr. Baze/Johnson moved and seconded to adopt Ordinance 58-01, an interim amendment to Mason County Resource Ordinance and to set a hearing on 6-19-01 at 10:30 a.m. and authorize the Chair to sign the findings of fact. Motion carried unanimously. B-aye; J-aye; C-aye Ordinance No. 58-01 (Exhibit B)

INTERIM AMENDMENT TO SHORELINE MASTER PROGRAM

Mr. Henrickson requested the Board adopt an interim amendment to the Shoreline Master Program and to set a hearing on 6/19/01 at 10:35 a.m. to take public testimony on this action.

Cmmr. Johnson/Baze moved and seconded to adopt Ordinance No. 59-01, an interim amendment to the Mason County Shoreline Master Program and set a hearing on 6-19-01 at 10:35 a.m. to consider this ordinance and authorize the Chair to sign the findings of fact. Motion carried unanimously. B-aye; J-aye; C-aye. Ordinance No. 59-01 (Exhibit C)

INTERIM DEVELOPMENT REGULATIONS RELATED TO NATURAL RESOURCE INDUSTRIES

Mr. Henrickson requested the Board adopt an ordinance to adopt an interim Mason County development regulation for natural resource industries and set a public hearing on 6/19/01 at 10:40 a.m. and authorize the Chair to sign the findings of fact.

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Cmmr. Cady commented that in the future, if an existing position is being filled, a briefing is the only necessary action, it does not need to come before the Board in a public meeting. If it is a new position or somehow impacts the budget, it needs to come before the Board in a public meeting.

SMALL WORKS ROSTER

Mr. Hauth reported that Public Works is placing a notice in the Shelton Journal and the Journal of Commerce requesting submittals from those individuals and/or businesses interested in being placed on the Small Works Roster for the period of July 1, 2001 through June 30, 2002.

TEE LAKE DECISION

Cmmr. Cady announced the Board does have a decision on the Tee Lake issue of banning internal combustion engines. She pointed out the hearing has been closed and asked if there is any public comment before the Board announces their decision.

Mr. DeBaker commented that he believes that everything that can be said for and against the ban has been said. Depth readings have been done. There are 37 property owners who are willing to compromise for the 9.9 horse power. Those in opposition that they have contacted, were not in favor of that.

Sheriff Whybark talked about reports that have come in. Staff has not found additional calls through the 911 system. There may be additional calls that have gone directly to a deputy but they were not put through the numbering system. He noted Sargent Petersen took Cmmr. Baze and Johnson out on the lake.

Sheriff Whybark stated his office has experimented with a lake watch program at Lost Lake. They provided the literature and some orientation training to volunteers who wore orange vests marked lake watch and provided information to people at the boat launches. He believes it was effective, but the interest tapered off.

Cmmr. Johnson/Baze moved and seconded to deny the petition to ban internal combustion engines on Tee Lake. Motion carried unanimously. B-aye; J-aye; C-aye.

Cmmr. Cady spoke to the motion. She stated there has been a lot of input from both sides. Her personal concern is there are regulations that allow for a speed on a lake that does not have the right configuration for that speed. Some of the safety concerns are not related to internal combustion engines. There isn't a lot of documentation of serious problems. She would like to have the lake observed through another summer season and set an agenda item on Tuesday, 10/23/01, at 6:30 p.m. to review this decision and the documentation that comes in during this period.

Cmmr. Johnson agreed with Cmmr. Cady. There have been a lot of charges made and it is very difficult to determine how many are authentic. The fact that it is a small lake is a concern. He would like hard data to review. He too, would like the activities monitored over the summer.

Cmmr. Baze concurred with both Commissioners and added that once a regulation is set, it is very hard to reverse and he would like more facts. He encouraged people to report any illegal activity to the Sheriff's Department.

A citizen asked if videos, still pictures, license plate numbers and boat numbers would be acceptable as facts.

Cmmr. Cady stated Telma Hauth has offered to work on a lake watch.

Sheriff Whybark stated a committee will need to be organized for a lake watch. He will instruct his staff that there will be no unrecorded incidents for Tee Lake so the complaints can be tracked. He will also try to make the Sheriff's office more visible in the area.

A citizen stated a lot of problems are from the public access. He asked if there isn't supposed to be a 300 foot limit off of the access.

Sheriff Whybark stated Sgt. Petersen will place a county buoy at the 300 foot mark from the boat launch.

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FUND NAME	WARRANT NUMBER	AMOUNT
Claims Clearing	24675-24762	\$34,128.83
	24763-24842	\$85,451.51
	24843-24981	\$329,292.34
	24982-25335	\$169,654.57
	25336-25353	16,456.28
Salary Clearing	112997-113441	\$992,233.67
	113442-113448	\$4,403.39

ADJOURNED

The meeting adjourned at 11:32 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Mary Jo Cady, Chairperson

Herb Baze, Commissioner

Wesley E. Johnson, Commissioner

ATTEST:

Rebecca S. Rogers, Clerk of the Board