

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

JUNE 19, 2001

The meeting was called to order by Chairperson Mary Jo Cady at 9:02 a.m. by leading the Pledge of Allegiance. Commissioners Herb Baze and Wesley Johnson were in attendance.

APPROVAL OF MINUTES

Cmmr. Baze/Johnson moved and seconded to approve the meeting minutes for May 15, 17, 22 and June 5, 2001. Motion carried unanimously. B-aye; J-aye; C-aye.

CORRESPONDENCE

CONTRACT AMENDMENT – SOCIAL & HEALTH SERVICES

Received a signed unilateral amendment to the contract with DSHS which provides working capital for program expenditures through June 30, 2002.

TEE LAKE

Correspondence was received from the following regarding Tee Lake: David L. Creed Sr. and Ginger Johnson.

WATER RECLAMATION FACILITY

Received a copy of the First Amended Claim of Lien for work performed on the Water Reclamation Facility. (copy forwarded to Utilities/Waste Management)

FOREST PRACTICES BOARD

Received minutes from the Forest Practices Board for special meetings held on January 18, 2001; February 14, 2001; February 21, 2001 and March 9, 2001.

OAPCA

Received notification from the Olympic Air Pollution Control Authority that the 2002 contribution will be \$15,369. (copy referred to Budget & Finance)

BUSINESS

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

FPD #8 Representative – Terri Sherfick; Alternate Representative - Scott Sherfick

Cmmr. Johnson/Baze moved and seconded to appoint Terri Sherfick as alternate and Scott Sherfick as representative on the Emergency Medical Services Advisory Council. Motion carried unanimously. B-aye; J-aye; C-aye.

MASON COUNTY BOARD OF EQUALIZATION - REAPPOINTMENT

The Mason County Board of Equalization recommended that Dennis Ross be reappointed to serve on the Board of Equalization.

Cmmr. Baze/Johnson moved and seconded to reappoint Dennis Ross to the Board of Equalization. Motion carried unanimously. B-aye; J-aye; C-aye.

LIQUOR LICENSE APPLICATION

Special Occasion – Alderbrook Golf Yacht Club at Alderbrook Golf & Yacht Club; June 29, 2001; 10 a.m. – 6 p.m.

Special Occasion - Alderbrook Golf Yacht Club at Alderbrook Club House; July 8, 2001; 8:30 a.m. to 5:00 p.m.

Special Occasion - Allyn Community Association; Allyn Park, June 21, 2001 from 12 p.m. to 10 p.m.

Cmmr. Johnson/Baze moved and seconded to approve the liquor license applications, special occasion for Alderbrook Golf Yacht Club on June 29 and July 8, 2001 and special occasion for Allyn Community Association on June 21, 2001. Motion carried unanimously. B-aye; J-aye; C-aye.

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application to the Federal Transit Authority. Motion carried unanimously. B-aye; J-aye; C-aye.

INTERLOCAL AGREEMENT – DEPARTMENT OF PRINTING

It is recommended the Board enter into an Interlocal Agreement with the State of Washington Department of Printing for printing services.

Cmmr. Baze/Johnson moved and seconded to enter into an Interlocal Agreement with the State of Washington Department of Printing. Motion carried unanimously. B-aye; J-aye; C-aye.

PERSONAL CELLULAR PHONE AGREEMENT

The Sheriff is recommending approval of a personal cellular phone agreement for Todd Hilyard.

Cmmr. Johnson/Baze moved and seconded to approve the recommendation of Sheriff Whybark for the personal cellular phone agreement for Todd Hilyard. Motion carried unanimously. B-aye; J-aye; C-aye.

AGREEMENT - DEPARTMENT OF REVENUE

Request for the Chair to sign the agreement with the Department of Revenue for state administration of Sales and Use Tax, Criminal Justice Tax, Juvenile Detention Tax and Rural County Tax.

Cmmr. Baze/Johnson moved and seconded to sign the agreement with the Department of Revenue for state administration of Sales and Use Tax, Criminal Justice Tax, Juvenile Detention Tax and Rural County Tax. Motion carried unanimously. B-aye; J-aye; C-aye.

VETERANS ASSISTANCE APPLICATIONS

- 1) Neil L. Olsen – VFW 1694 – Burial Benefit \$300.00
- 2) Gary Brewer – VFW 5372 – Utilities \$185.21

The Veterans Assistance Screening Committee has recommended approval on the above listed applications totaling \$485.21.

Cmmr. Johnson/Baze moved and seconded to approve the Veterans' Assistance applications for Neil Olsen, burial benefit, \$300; Gary Brewer, utilities, \$185.21. Motion carried unanimously. B-aye; J-aye; C-aye.

VOTING PRECINCT RESOLUTION

Al Brotche, Auditor, introduced Pat Sykora, Elections Supervisor, who presented the resolution to change certain voting precinct boundaries due to annexation of property to the City of Shelton. The precincts affected are Airport, Capitol Hill, Isabella, Mountain View, Westside, Shelton 11, Shelton 13 and Shelton 16. A map was displayed showing the new boundaries.

Cmmr. Baze/Johnson moved and seconded to approve Resolution No. 61-01 for annexed property and voting precinct adjustments. Motion carried unanimously. B-aye; J-aye; C-aye. Resolution No. 61-00 (Exhibit A)

SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT – Applicant: Island Hide Away Assoc.; Proposal to reconstruct a community stairway to the beach on Case Inlet.

Scott Longanecker, Planning, presented the staff report. The site is currently used for community access to the beach by the people who live in the Island Hideaway Subdivision. The community easement between Sund Road and the stairs is relatively flat with grass for groundcover and no trees. There is an existing stairway and concrete bulkhead on the beach.

The stairs are to be located 2' and 3' from the side property lines. The Shoreline Master Program allows for the placement of a joint or community use stairway on the property line without the need for an approved Shoreline Variance. Therefore, the fact that the stairs are located within the 5' sideyard setback is not an issue. The project is consistent with all of the policies and use regulations governing stairs and staff recommends approval of the permit with the following conditions:

- 1) Erosion control measures such as silt fencing shall be installed and maintained to prevent silt from the

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by Island Hideaway Association. Motion carried unanimously. B-aye; J-aye; C-aye.

PROCLAMATION – Amateur Radio Week

Lloyd Tuffs, Mason County Amateur Radio Club, stated they have a amateur radio club which provides free communications services to government and the community in an emergency event. They do a field day for emergency radio communications, using no electricity, the last week of June in order to be prepared for an emergency. He invited the public to their field day and stated there will be a class starting for amateur radio users.

Ron Sauer stated they also have a hospital net that helps to coordinate hospital beds during an emergency.

Cmmr. Johnson/Baze moved and seconded to declare the week of June 18 to 24, 2001 as Amateur Radio Week. Motion carried unanimously. B-aye; J-aye; C-aye.

**BID OPENING – Furnish Mason County with Cutback Asphalt and/or Emulsified Asphalt for Calendar Year 2001.
US Oil & Refinery**

CMS2 \$159/ton
CR2 \$159/ton
CSS1 \$164/ton
STE1 \$164/ton

Chevron
Seattle, WA
CMS2, \$185 ton
CRS2 \$180 ton
CSS1 \$180 ton
STE1 \$180 ton

Cmmr. Baze/Johnson moved and seconded to award the bid to US Oil & Refinery and Chevron of Seattle to furnish Mason County with asphalt materials for 2001. Motion carried unanimously. B-aye; J-aye; C-aye.

ESTABLISH HEARING FOR VARIANCE OF DEVELOPMENT REGULATIONS

Michael MacSems, Planning, requested the Board set a hearing to consider a variance to the development regulations as requested by Bud & Chris Smilanich and Tim & Nancy Pinkney. Their request is to subdivide a 3/4 acre parcel in a portion of the county that has a designated average density of 1 dwelling per 5 acres. The property is at Spencer Lake, 269 E McBride Lane, Shelton, WA.

Cmmr. Baze/Johnson moved and seconded to set a hearing on 9-4-01 at 9:45 a.m. to consider a variance to the development regulations as requested by Bud & Chris Smilanich and Nancy Pinkney. Motion carried unanimously. B-aye; J-aye; C-aye.

HEARINGS SET - SUPPLEMENTAL APPROPRIATIONS

Ione Siegler, Budget Director, requested the Board approve a resolution setting a hearing to consider a supplemental appropriation to the 2001 Current Expense budget.

Cmmr. Johnson/Baze moved and seconded to approve resolution No. 62-01 setting a public hearing on July 3, 2001 at 9:30 a.m. to consider a supplemental appropriation to the 2001 Current Expense Fund Budget in the estimated amount of \$7,073. Motion carried unanimously. B-aye; J-aye; C-aye. Resolution No. 62-01 (Exhibit B)

Ms. Siegler requested the Board approve the resolution setting a hearing to consider a supplemental appropriation to the Current Expense Fund, the Narcotics Investigation Fund and the Cum. Reserve Deductible Fund.

Cmmr. Baze/Johnson moved and seconded to approve Resolution No. 63-01 setting a public hearing on July 3, 2001 at 9:35 a.m. to consider a supplemental appropriation to the 2001 budget for the Current Expense fund in the estimated amount of \$65,660; the Narcotics Investigation Fund in the estimated amount of \$9,700, and the Cum. Reserve Deductible Fund in the estimated amount of \$25,000. Motion carried unanimously. B-aye; J-aye; C-aye. Resolution No. 63-01 (Exhibit C)

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Probation Services. Also, unanticipated beginning fund balance to be used for the cost of legally required dependency publications.

Cmmr. Baze/Johnson moved and seconded to approve the supplemental appropriation to the 2001 budget in the amount of \$142,765 for the Current Expense Fund. Motion carried unanimously. B-aye; J-aye; C-aye. (Exhibit E)

RECESS

The board recessed for 5 minutes.

CONTRACT AMENDMENT NO. 2 – MCEWAN PRAIRIE GRAVEL MINE

Rick Mraz, Planning, stated the scheduled item is discussion of the three party contract amendment relative to preparation of a supplemental environmental impact statement (SEIS). The SEIS will address areas not adequately addressed in the draft environmental impact statement for the McEwan Prairie Surface Mine. The SEIS will also address new alternatives and/or newly identified areas of likely significant adverse impacts. Comments received in response to the draft environmental impact statement were extensive and indicated significant public interest. The project contains many complex issues including ground and surface water hydrology, traffic and transportation issues and wildlife issues.

Mr. Mraz stated staff received the draft contract amendment including the scope of work, schedule and estimated budget on 5/21/01. Notice was sent to interested parties that this contract amendment was being proposed. He stated they received comments regarding the notice from agencies, tribal authorities and private citizens. He recommended the Board defer signing the contract amendment and direct staff to start the formal scoping process. That process will include the issuance of a scoping notice possibly accompanied by a draft scope of work, a document similar to what was prepared for this amendment. A 14 day comment period would follow the issuance of the notice, after the 14 day period a detailed scope of work would be prepared. This scope of work would be attached to the contract amendment for the preparation of the SEIS.

Cmmr. Cady noted she received an e-mail from the Squaxin Tribe in opposition to signing the amendment. She stated she will take testimony today on this issue and people can mail written comments to Mr. Mraz so they can be considered in the draft scope. She stated there will be public hearings held on this issue.

Mr. Mraz stated everyone on the mailing list will receive a notice of the formal scoping process and that will be the time to gather information.

Rod Reid, Alpine Evergreen & BBR - Port Orchard, stated the process started in 1996 and he is very frustrated. He stated they have gone through three directors and three planners and now they are being asked to scope it again. He stated there are no new issues and they are taking a step backwards. He pointed out this costs money. He believes this borders on obstruction of the process.

Suzi Simpson, Johns Prairie Assoc., believes it is not obstruction, she stated the scoping has not been addressed. She stated the comments on the draft EIS weren't addressed, that is why there is the need of the supplemental and rescoping. She stated they are very proud of the county for listening to the public.

Cmmr. Cady stated she understands the original scope of work was on a project that grew beyond what it was intended for.

Mr. Mraz explained there was an initial scoping on a project that was smaller. Subsequent to that, the project was submitted on a much larger size and rescope at that point. This scope is a supplement to that second project. It is narrowing the focus of the issues that were not adequately addressed in the draft EIS, based on the comments from the draft EIS. It also allows for the addressing of new alternatives, if alternatives come forward.

Phil Struck, Foster & Wheeler (technical project manager under the three party agreement), gave an explanation of the process that was gone through for the SEIS. They have tried to develop information to support the process for the owners and for the county. They created the draft scope of work and have submitted that to the Planning Department. They also created a compilation of all the comments that were received from the draft EIS including comments that were given at the public meeting held in September, 2000 and how they would be addressed in the

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with current AWWA standards to include but not be limited to additional tests to verify the reservoir's foundation geometry, strength and soil capacity. Motion carried unanimously. B-aye; J-aye; C-aye.

HEARING – Consider an interim amendment to Mason County Resource Ordinance.

Ron Henrickson, Director of Community Development, stated this is a hearing to take testimony on Ordinance #58-01 that was adopted on June 5, 2001, It is an interim amendment to the Mason County Resource Ordinance which creates a new category to Section 7.01.130 General Exemptions as follows: "J. A project approved by the Board of County commissioners to enhance critical habitat or foster recovery of listed endangered or threatened fish species."

Marty Ereth, Skokomish Tribe, stated that when the interim amendment was approved, the Tribe didn't have a problem with it because it would eliminate a permit for a valid approved restoration project. He stated they now have concerns as to what restoration projects mean to an individual and who approves them. He asked if the Board was going to declare what a restoration project is, would that be done in a public forum. He noted there are other permits that would still be needed.

Mr. Ereth asked if the Board was aware of any proposal, whether permits were sought or not, to remove bed material, build roads, or remove riparian timber in the south fork of the Skokomish River, specifically the area above the mouth of Vance Creek, downstream from the mouth of the north fork of Skokomish River. He then asked if the Board was aware of a document titled "Long Range Goals for Skokomish River Basin Plus a Little History, Local Residents' Approach to Skokomish River Management" in which an emergency declaration is planned by the County. He stated there is a draft resolution in the document.

Cmmr. Cady responded she has not seen the document. She asked where it came from.

Mr. Ereth responded it came from Mason County Planning staff. He recommended that if a project is planned, the County, specifically the Commissioners, stay away from it as far as possible. He stated the Tribe has contacted the permitting agencies and made them aware of the document.

When asked, the Board stated they have not seen the document.

Cmmr. Cady pointed out there have been discussions about bar scalping in public briefings.

Mr. Ereth stated the document creates major concerns for the Tribe. He doesn't know who wrote the document, but he did receive it from county staff.

Janet Dawes, Oyster Beach Road, stated she hasn't seen the amendments that are on the agenda today. On the face of it, it sounds very good. She may share the same concerns that Marty raised.

Cmmr. Baze/Johnson moved and seconded to concur with the action taken with Ordinance 58-01 on 6-5-01. Motion carried unanimously. B-aye; J-aye; C-aye.

HEARING – Consider an interim amendment to Mason County Shoreline Master Program.

Mr. Henrickson stated this is a public hearing on Ordinance 59-01 which is an interim amendment to Section 7.13.010 Applicability to Substantial Development of the Mason County Shoreline Master program, to add a new subsection (13) as follows: "A project approved by the Board of County Commissioners to enhance critical habitat or foster recovery of listed endangered or threatened fish species."

Marty Ereth and Janet Dawes stated they have the same concerns as with Ordinance 58-01.

Cmmr. Johnson/Baze moved and seconded to concur with their action relative to Ordinance 58-01. Motion carried unanimously. B-aye; J-aye; C-aye.

HEARING – Consider an interim Mason County Development Regulation for Natural Resources Industries.

Mr. Henrickson stated this is a public hearing to consider testimony regarding Ordinance #60-01. This is for an interim Mason County Development Regulation for Natural Resource Industries. A new section, #1.03.025, Interim Regulations - Natural Resource Based Industries would be added. He recommended the Board adopt an ordinance to amend Ordinance #60-01, to add section C. "Building permits issued under A or B above shall meet all other

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Cmmr. Baze/Johnson moved and seconded to authorize the ER&R Fund Manager to purchase one used or new 15 passenger van utilizing the Washington State surplus, Federal surplus or the Washington State contract for the jail. Motion carried unanimously. B-aye; J-aye; C-aye.

SWANSON SERVICES CORPORATION CONTRACT AMENDMENT

Sheriff Steve Whybark asked the Board to sign the contract amendment for the jail commissary contract with Swanson Services Corporation.

Cmmr. Johnson/Baze moved and seconded to approve the addendum to the commissary contract with Swanson Services as presented by Sheriff Whybark. Motion carried unanimously. B-aye; J-aye; C-aye.

JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT (JAIBG)

Harris Haertel, Probation Services, requested permission to make application for JAIBG funds in the amount of \$20,260. The match is 10% and is from a state CJAA grant. The program implemented from these funds is the Aggression Replacement Training.

Cmmr. Johnson/Baze moved and seconded to authorize Mason County Juvenile Court to apply for Juvenile Accountability Incentive Block grant funds in the amount of \$20,260 for the purpose of continuing the Aggression Replacement Training program. Motion carried unanimously. B-aye; J-aye; C-aye.

MEMORANDUM OF UNDERSTANDING - MCRA WALKWAY

Jerry Hauth, Public Works Director, requested the Board execute the Memorandum of Understanding with the City of Shelton for the design and subsequent construction of the MCRA Walkway.

Cmmr. Baze/Johnson moved and seconded to execute the Memorandum of Understanding with the City of Shelton for coordination with City of Shelton for the design and subsequent construction of the MCRA Walkway. Motion carried unanimously. B-aye; J-aye; C-aye.

SUPPLEMENTAL AGREEMENT - SKILLINGS & CONNOLLY

Mr. Hauth requested the Chair be authorized to execute Amendment #4 to Supplemental Agreement No. 2 for the Belfair Bypass Study Agreement #98015-2 with Skillings-Connolly, Inc.

Cmmr. Johnson/Baze moved and seconded to authorize the Chairperson to execute Amendment #4 of Supplemental Agreement #2 of the Skillings-Connolly Contract No. 98015-2, extending the time for completion through July 17, 2001, and increasing the dollar amount of the contract by \$11,482.74, for a total contract amount of \$700,962.94. Motion carried unanimously. B-aye; J-aye; C-aye.

2000 FINAL DAY LABOR CONSTRUCTION COSTS

Mr. Hauth requested the Board execute the Notification of Final Costs for County Road Day Labor Construction costs for 2000.

The Board questioned the dates and Cmmr. Cady noted the costs for Burma Slide Stabilization were only \$16.

Mr. Hauth stated he will research this and bring it back before the Board at another time.

ADOPT-A-ROAD AGREEMENT - KAMILCHE POINT ROAD

Mr. Hauth presented an adopt-a-road agreement for litter control on the Kamilche Point Road.

Cmmr. Baze/Johnson moved and seconded to authorize the Chairperson to execute Adopt-A-Road Agreement 1488KAMI sponsored by the Kamilche Point Community Club and Friends for litter control on the Kamilche Point Road, County Road No. 14880. Motion carried unanimously. B-aye; J-aye; C-aye.

CONTRACT EXTENSION - LUSIGNAN FORESTRY

Mr. Hauth requested the Board approve an extension of the contract time-line with Lusignan Forestry to coincide with the Forest Practices permit, extending the contract through October 16, 2002. This is for timber removal on the

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WORKFIRST CONTRACT

Mr. Kutz requested the Board authorize the Chair to sign the renewal of the WorkFirst Contract. This is for children with special needs services to provide in-home nursing evaluations of children with special medical, developmental or behavioral problems by a public health nurse to assist DSHS in determining a participant's level of ability to take part in WorkFirst activities.

Cmmr. Baze/Johnson moved and seconded to approve and authorize the Chair to sign the Workfirst Contract #0163-81221 for PY2001-2003. Motion carried unanimously. B-aye; J-aye; C-aye.

AMENDMENT - ALTERNATIVE RESPONSE SYSTEM

Mr. Kutz requested the Chair be authorized to sign the Alternative Response System contract amendment #2, DSHS agreement #24871.

Cmmr. Baze/Johnson moved and seconded to approve and authorize the Chair to sign the Alternative Response System contract #24871 amendment #2, between Department of Social and Health Services and Mason County Department of Health Services. The amendment retains the \$27,050 contract reimbursement with modification to the workload to 27 families per FTE. Motion carried unanimously. B-aye; J-aye; C-aye.

Mr. Kutz requested the Chair be authorized to sign amendment no. 3 to the AlternatiVe Response System contract #24871.

Cmmr. Johnson/Baze moved and seconded to approve and authorize the Chair to sign the Alternative Response System contract #24871 amendment #3 between Department of Social and Health Services and Mason County Department of Health Services. The amendment increases the contract by \$13,525 and extends the contract from 7/1/01 to 12/31/01. Motion carried unanimously. B-aye; J-aye; C-aye.

SUMMER FOOD SERVICE PROGRAM

Mr. Kutz requested the Chair be authorized to sign the summer food service program health inspection contract with the Superintendent of Public Instruction.

Cmmr. Baze/Johnson moved and seconded to approve and authorize the Chair to sign contract #C120-1105 between Superintendent of Public Instruction and Mason County Department of Health Services. The agreement provides \$150.00 to defray the cost of inspecting the Summer Food Service Program at three sites. Motion carried unanimously. B-aye; J-aye; C-aye.

MASON COUNTY NETWORK

Mr. Kutz requested the Board approve and authorize the Chair to sign the contract for services between the Mason County Network and Mason County.

Cmmr. Johnson/Baze moved and seconded to approve and authorize the Chair to sign the contract for services between the Mason County Network and Mason County in the amount of \$1,250. The contract will fund some of the training for the Nurse Home Visitation project. Motion carried unanimously. B-aye; J-aye; C-aye.

DAY LABOR CONSTRUCTION COSTS

Mr. Hauth brought back the Day Labor Construction Costs. He explained the 2001 dates were incorrect and have been corrected to 2000.

Cmmr. Baze/Johnson moved and seconded to execute the Notification of Final Costs for County Road Day Labor Construction for 2000. Motion carried unanimously. B-aye; J-aye; C-aye.

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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