

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

FEBRUARY 19, 2002

Chairperson Wes Johnson called the meeting to order at 9:00 a.m.. Commissioners Herb Baze and Bob Holter were also in attendance.

APPROVAL OF MINUTES: Cmmr. Holter/Baze moved and seconded to approve the briefing minutes of February 4, 2002 and the regular meeting minutes of February 12, 2002. Motion carried unanimously. B-aye; J-aye; H-aye.

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

HB2858 – RESTRICTING GROWTH MANAGEMENT HEARINGS BOARD REVIEW AUTHORITY

A letter was received from Jefferson County Board of Commissioners supporting the concept of HB 2858 to limit the Washington Growth Management Hearings Board's review authority to matters of process only and urging other counties to do so also.

GROWTH MANAGEMENT

The Port of Allyn voted to support the efforts to resolve issues and bring the county into full compliance with the Growth Management Act.

Mason County Democrats expressed their support of the County's efforts to be in compliance with the Growth Management Act.

RURAL ZONING DISTRICTS

Carol Bigham-Perez noted concern about proposed rural zoning districts for commercial development at Harstine Island. Copy referred to Community Development/Planning.

STATE FOREST BOARD LANDS

Received the projection of income for state forest board lands from the Washington State Department of Natural Resources. The 2002 projects are \$1.33 million. The revenue for 2001 was \$1.32 million.

BUILDING CODE AMENDMENTS

Rex W. Schade asked that the Board consider the requirement in building code amendment 14.08.180 relating to ecology blocks for retainage and landscape purposes. Copy referred to Community Development.

CABLE TELEVISION FRANCHISE

A request has been received from Millennium Digital Media Systems to initiate formal renewal proceedings under Section 626 of the Cable Act.

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

Fire Protection District #16: Primary Representative – Jake Frey; Alternate Representative – Mariah Frey

B U S I N E S S

RECESS

The Board recessed at 9:12 a.m. until the next scheduled hearing at 9:15 a.m.

HEARING CONT. – EXTENSION OF MORATORIUM ON APPLICATIONS FOR LAND USE PERMITS

Bob Fink, Planning Manager, explained the hearing is a continuation from the February 5, 2002 meeting to consider the extension of a moratorium on applications for land use permits as they relate to sexually oriented businesses, as adopted in Mason County Resolution No. 148-01. The extension of the moratorium would expire on July 13, 2002.

He suggested the Board close the hearing after public testimony and formally adopt the findings of fact by reference which were previously adopted in support of the moratorium.

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Cmmr. Holter/Baze moved and seconded the Board of County Commissioners execute CRP 1716, Belfair-Tahuya Road (Tahuya River Bridge flood damage repair). Motion carried unanimously. B-aye; J-aye; H-aye. Resolution No. 13-02 (Exhibit A)

RECESS

The Board recessed until the next scheduled item.

HEARING – PETITION FOR ROAD VACATION – PORTIONS OF TOWNSEND ADDITION TO UNION CITY

The Public Works Director noted the hearing is to consider the petition for vacation of 30' on all sides of Blocks 1,2,3,8 and 9 of Huntington, Johnson, and Heckman Streets, and McArde and Wherry Avenues, and 40' along Grand Avenue adjacent to Blocks 3 and 8, Townsend Addition to Union City; Mason County Auditor's office, Book of Plats, Volume 1, Page 26, Section 6; Township 21 North, Range 3 West W.M.

Mr. Hauth explained the lots are all contiguous and have a common ownership. The roads are unopened platted rights-of-way vacated by action of law (1905). This will allow the applicants a color of title to those sections of the road that were not developed which are adjoining their property. It was recommended the Board approve the request subject to any existing easements of record.

A question concerning the location of the property was raised from the public.

It was explained that the Townsend Addition to Union City is near Hunter Farms. A map of the area was displayed.

Cmmr. Holter/Baze moved and seconded the Board approve Vacation #316, as recommended by the County Engineer and shall be subject to any existing easements of record. Motion carried unanimously. B-aye; J-aye; H-aye. Resolution No. 14-02 (Exhibit B)

RECESS

The Board recessed at 9:42 a.m. until the bid opening at 9:45 a.m.

BID OPENING – HARSTINE ISLAND BRIDGE EARTHQUAKE DAMAGE REPAIRS

At 9:45 the Board closed the call for bids and opened five bids as follows:

Calloway Ross, Inc.
Longview, WA
Addendum #1 Received
5% Bid Bond Proposal
\$42,587.50

FD Thomas, Inc.
Portland, OR
No Addendum #1
5% Bid Bond Proposal
\$34,652.00

Nordic Construction, Inc.
Tacoma, WA
No Addendum #1
5% Bid Bond Proposal
\$22,390.50

Stan Palmer Construction, Inc.

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Public Works announced the Engineer's estimate of \$21,470.00 and asked for an hour to review the bids received before coming back with a recommendation.

RECESS

The Board recessed at 9:53 a.m. until the next scheduled hearing at 10:00 a.m.

HEARING - EXTENSION OF MORATORIUM ON BUILDING PERMITS FOR CARD ROOMS

Bob Fink, Planning Manager, announced that the Board is holding a hearing to consider an extension of Mason County Ordinance 89-01 which imposed a moratorium on the issuance of building permits or other development approvals for card rooms within the unincorporated area of Mason County for a period of six months. It was recommended the Board extend the moratorium until August 27, 2002.

The Board questioned if there is a timeline as to when this issue may come to a closure.

Mr. Fink responded that if they change this they could adopt the prohibition on these facilities at any time through the proper process. The county has been going through a process for an interim restriction. It could have been adopted as a permanent restriction and then at such time as Belfair or the Shelton UGA is ready to set up regulations to allow these in certain places they could then adopt those regulations which would allow the activity rather than continuing it indefinitely as an interim provision. It could be adopted as a permanent provision subject to later revision.

There was brief discussion where the activity would locate if there was no moratorium and also if there were a prohibition adopted.

Cmmr. Baze/Holter moved and seconded the Board extend Ordinance No. 89-01, imposing a moratorium on the establishment, location, or permitting of card rooms, gambling establishments, and game parlors with any social card games within the unincorporated area of Mason County, until August 27, 2002 and further move to adopt the previously approved findings of fact in support of this action. Motion carried unanimously. B-aye; J-aye; H-aye.

RECESS

The Board recessed at 10:10 a.m. until 10:50 a.m. for the recommendation of the bid award.

BID AWARD – HARSTINE ISLAND BRIDGE EARTHQUAKE DAMAGE REPAIRS

Public Works Director Jerry Hauth explained that there was confusion on the bid for Harstine Island Bridge earthquake damage repairs. The bid bond format, which was set out with the contracts, was one, which was required by Washington State Department of Transportation. The reference was for the bid to be made to the state. That is not the County's standard format. They sent out an addendum last Friday and have a copy of the fax receipts that indicate they were received with the proper bid bond. It was the same bond, but the reference to the state was struck, and it was referenced bonded to the County. The introduction of the bid document indicated that bid bonds or documents that were submitted for the bid needed to be on forms provided by the County.

The low bidder submitted a bid with a bid bond that was supplied by their bond firm. It did not meet the state criteria and Public Works recommended the bid be awarded to the next low bidder, Stan Palmer Construction Inc. in the amount of \$26,757. They have not heard back from Department of Transportation and offered as an alternate to delay awarding for an hour or week.

The Board questioned if Public Works had any contact with Nordic Construction, Inc. in the last week or so to discuss this issue and make it clear what they need to do.

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APPROVAL OF WARRANTS

The following warrants were approved for payment:

FUND NAME	WARRANT NUMBER	AMOUNT
Claims Clearing	35567-35997	\$324,971.82
Salary Clearing	119009-119248	\$176,231.00
	119249-119250	\$1,600.00
	119251	\$500.00

ADJOURNED

The meeting adjourned at 10:56 a.m. due to no further business.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Wesley E. Johnson, Chairperson

Bob Holter, Commissioner

Herb Baze, Commissioner

ATTEST:

Rebecca S. Rogers, Clerk of the Board