

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

JUNE 25, 2002

Chairperson Wesley Johnson called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance. Commissioners Herb Baze and Bob Holter were in attendance.

APPROVAL OF MINUTES

Cmmr. Holter/Baze moved and seconded to approve the briefing minutes of May 13, 20, 21, 28 and June 4, 10 and 11. Motion carried unanimously. B-aye; J-aye; H-aye.

Cmmr. Baze/Holter moved and seconded to approve the regular meeting minutes of June 4 and June 17. Motion carried unanimously. B-aye; J-aye; H-aye.

CORRESPONDENCE

PLANNING ADVISORY COMMISSION

Applications have been received from the following: Everett Hughes, Robert Sund, Marilyn Johnston, Richard Barton Robbins, William Young, Ken A. Vanbuskirk, Bill Dewey, Diane Edgin, Steve Clayton, Maureen A. Beckstead, Rick Coleman, Irv Shotwell, Douglas E. Sayan, Evan G. Tozier, and Theresa J. Kirkpatrick.

CHEMICAL DEPENDENCY ADVISORY BOARD

Received a request that a letter of appreciation be sent to Dutch Allen for completing her second term on the Thurston/Mason Chemical Dependency Advisory Board.

FINANCIAL DISCLOSURE

Proposal has been submitted by the Mason County League of Women Voters urging the Board to adopt a policy requiring disclosure of financial and other interests by citizens serving on county commissions, advisory boards and committees.

OLYMPIC AIR POLLUTION CONTROL AUTHORITY

Notification received that the 2003 contribution for the Olympic Air Pollution Control Authority will be \$15,432.

FEDERAL ENERGY REGULATORY COMMISSION

PUD #3 asked for support in opposing the Federal Energy Regulatory Commission's intent to alter the way utilities buy, sell and transmit electricity.

TRUMAN GLICK PARK ADVISORY BOARD - APPLICANT

Jim Troglia

BUSINESS

ORDINANCES DISSOLVING THE SHORELINE ADVISORY BOARD AND PLANNING COMMISSION AND ESTABLISHING THE PLANNING ADVISORY COMMISSION

Bob Fink, Planning Manager, presented the proposed ordinance to dissolve the Planning Commission.

Cmmr. Holter/Baze moved and seconded to adopt Ordinance 74-02, which disbands the prior Planning Commission as just read into the record. Motion carried unanimously. B-aye; J-aye; H-aye. (Exhibit A)

Mr. Fink then presented the ordinance to dissolve the Shoreline Advisory Board.

Cmmr. Baze/Holter moved and seconded to adopt Ordinance 75-02, which disbands the prior Shoreline Advisory Board as just read into the record. Motion carried unanimously. B-aye; J-aye; H-aye. (Exhibit B)

Mr. Fink presented the ordinance which establishes a Planning Advisory Commission and amends Mason County Code Chapter 2.84 and 2.04.

Cmmr. Holter/Baze moved and seconded to adopt Ordinance 76-02, which reconstitutes the Planning Commission and Shoreline Advisory Board into a seven person board as just read into the record. Motion carried unanimously. B-aye; J-aye; H-aye. (Exhibit C)

HEARING - Consider a supplemental appropriation to the Current Expense Fund in the estimated amount of \$143,420 due to a Cops-in-Schools grant and a methamphetamine initiative grant for methamphetamine

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J-aye; H-aye.

BID OPENING - Removal of wastewater treatment plant generated bio-solids, from the Mason County Wastewater Treatment Plant Facilities located at Hartstene Pointe, North Bay/Case Inlet (Allyn), and Rustlewood.

Gary Yando presented the three bids received.

Accord Construction & Environmentalists.
Edmonds, WA
19 cents per gallon

Bio Recycling (The name was read incorrectly into the record, the bid is from D&E Septic Services.)
Chehalis, WA
13.10 cents per gallon

Joe's Septic
Shelton
14 cents per gallon

Mr. Yando will review the bids and make a recommendation at next week's meeting.

NORTH BAY CHANGE ORDER

Mr. Yando requested authorization to sign the change order no. 4 for the Lakeland Village Sewer Collection System.

Cmmr. Baze/Holter moved and seconded to grant authorization to the Director of Utilities and Waste Management to sign change order no. 4 in the amount of \$35,051.29 as it relates to the Lakeland Village Sewer Collection System. Motion carried unanimously. B-aye; J-aye; H-aye.

WRIA 14 WATERSHED GRANT AMENDMENT

Jason Manassee, Planning, requested the Board sign Amendment #2 to the WRIA 14 Watershed Planning Grant. This is for \$204,110 and is effective 6-28-02 to 6-28-03 and will be used to continue the Phase 2 & 3 work started earlier this fiscal year.

Cmmr. Holter/Baze moved and seconded to approve amendment No. 2 to Department of Ecology Grant No. G0000107. Motion carried unanimously. B-aye; J-aye; H-aye.

WRIA 14 CONSULTING CONTRACT

Mr. Manassee then presented the consultant agreement to produce an Initial Basin Assessment for the watershed for WRIA 14.

Cmmr. Baze/Holter moved and seconded to approve the WRIA 14 Initial Basin Assessment consulting agreement between Golder Associates and Mason County. Motion carried unanimously. B-aye; J-aye; H-aye.

HEARING – Consider the petition for vacation of a portion of right-of-way located in the Plat of Detroit #2.

Petitioner: Glen Jurges (Road Vac. File #318)

Jerry Hauth, Public Works Director, presented the staff report. The portions of these platted right-of-way show no evidence of having been opened as county roads. It does not appear that the vacation will land lock any property owners and there is no need to keep this right-of-way for future county road purposes. He recommended the vacation be approved as requested, subject to any existing easements of record.

John Komen asked the purpose of this action.

Cmmr. Holter answered it clears up the land records for the petitioner as it has already been vacated by a matter of law.

Mr. Komen asked if the property owner plans to develop it.

Cmmr. Holter replied that is not known, but the property owner pays for this process and if he plans to develop it, he would have to follow the process for that.

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shore of Hood Canal; Applicant: Alan Kane

Pam Bennett-Cumming, Planning, presented the staff report. The proposal is to construct a 6 ft by 14 ft pier with a 3 ft by 32 ft aluminum ramp connected to an 8 ft by 16 ft float with 2 ft wide grating down the middle. Six pilings will be installed and float stops will be installed to keep the float approximately 1 foot above the substrate. The floatation will be fully enclosed. The proposal has undergone several revisions to reach its current configuration.

Marvin & Kathleen Moore have commented, by letter, they have concerns with the proposal affecting their view as well as the proximity to the property line. They suggest moving the dock to the more westerly edge of the residence.

Following up on the Moores' concerns, staff reviewed the survey for the Moore site. Use Regulation 5 of the Piers and Docks Chapter provides for a 5 foot minimum setback from the property line, as well as location of the proposal to not significantly impact or unnecessarily interfere with the rights of adjacent property owners or adjacent water use. It appears that as represented, the structure would meet the 5 foot setback from the lot line extension, however a dock somewhat more centrally located on the bulkhead might provide less view impact to neighboring upland owners on each side.

Ms. Bennett-Cumming submitted photos of the site for the Board's review.

The proposal, as designed, appears general consistent with the Shoreline Management Act and applicable Mason County Shoreline Master Program policies and use regulations, however one neighbor does have view concerns. If the Board approves the project as submitted, staff recommends approval of the proposal subject to the conditions below. If the Board determines that the pier should be moved to a somewhat more central location, staff recommends that the Board postpone the decision, so the applicant can revise the plan accordingly.

1. The pier, ramp, float and associated moorings shall be located to avoid shading of eelgrass and other aquatic vegetation.
2. Flotation for the structure shall be entirely enclosed and contained to permanently prevent the breakup or loss of the flotation material in 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. Water quality is not to be degraded to the detriment of the aquatic environment as a result of this project.
5. Recreational piers shall be no higher than 11 feet above mean higher high water. Piers and docks shall have at least an eight foot span between pilings.
6. The surface of floating structures shall be a minimum of eight inches above the water.
7. All floating structures shall include float stop supports to keep structures off the tidelands at low tide.
8. The applicant shall obtain a Mason County Building Permit and all other necessary state and federal permit approvals prior to the start of the project (Dept of Fish and Wildlife, Corps, DOE Water Quality concurrence).
9. The pier ramp and float structure shall be as per plans submitted with staff report for Shoreline Permit SHR2000-00029, with a maximum length of 57 feet and maximum tidal depth of zero tide to minimize impact to aquatic vegetation environment.

This condition was added after discussion in the hearing:

10. The pier as near as possible will be no closer than 15 feet to the property line, and be as close as possible to parallel to the property line.

Cmmr. Baze asked that if the Board suggests the proposal be moved toward the center of the property, would additional permitting be required.

Ms. Bennett-Cumming stated she believes any alterations would have to be specific.

Cmmr. Holter added that if the proposal is amended, the other adjacent property owners would need the opportunity to comment.

Marvin Moore, Highway 106, adjacent property owner, stated they have concerns with the view and pointed out that Piers and Docks Policies 1, 2 and 3 address minimizing the obstructions of views and conflicts with recreational boaters and fishermen; cooperative uses of piers and docks are favored and the type, design and location of docks and piers should be compatible with the shoreline areas where they are located. He stated that he did want to make the dock joint-use but Mr. Kane declined stating it would impact his privacy. Mr. Moore suggests moving it to the other side of Mr. Kane's house, not the other property line.

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There was discussion about the location of the dock.

Cmmr. Holter/Baze moved and seconded to approve the Kane Shoreline Substantial Development Permit No. SHR2000-00029 with the findings of fact as described and conditioned in the staff report dated June 24, 2002 with the additional condition that the pier, as near as possible, will be no closer than 15 feet to the property line and as close as possible parallel to the property line shared with the Moore's. Motion carried unanimously. B-aye; J-aye; H-aye.

HEARING – Consider a shoreline substantial development permit to construct a pier, ramp and float located on the south shore of Hood Canal; Applicant: Donald D. DeNotta

Pam Bennett-Cumming, Planning, presented the staff report. The project is a 6 foot wide by 36 foot long pier supported by four pilings, a 4 foot wide by 40 foot long aluminum ramp, and a 7 foot 10 inch by 30 foot long float, with float stops to hold the float eight inches off the beach at low tides. Eight ACZA treated wood pilings will be used. Total length is 100 feet. The dock will be for aquaculture and recreational use.

This proposal, as designed, appears consistent with the Shoreline Management Act and applicable Mason County Shoreline Master Program policies and use regulations. 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. Flotation for the structure shall be entirely enclosed and contained to permanently prevent the breakup or loss of the flotation material in 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. Construction, development and/or other site activities on or adjacent to the beach shall be conducted so that there is no disturbance of the salt tolerant vegetation at the shoreline edge.
5. Water quality is not to be degraded to the detriment of the aquatic environment as a result of this project.
6. Recreational piers shall be no higher than 11 feet above mean higher high water. Piers and docks shall have at least an eight foot span between pilings.
7. The surface of floating structures shall be a minimum of eight inches above the water.
8. All floating structures shall include float stop supports to keep structures off the tidelands at low tide.
9. The applicant shall obtain a Mason County Building Permit and all other necessary state and federal permit approvals prior to the start of the project (Dept of Fish and Wildlife, Corps, DOE Water concurrence).
10. The total length of the proposed project shall not extend waterward further than either 100 feet or minus 3 tide, or 15% of the fetch, whichever is more landward.
11. Aquaculture discards shall be disposed of in a manner that will not degrade associated uplands, wetlands, shorelines, or water environments. Discards shall not be disposed of in a manner which results in offensive odors or increases the vector population.

Cmmr. Baze/Holter moved and seconded to approve the Denotta use pier, ramp and float Substantial Development Permit application no. SHR2000-00030, with findings of fact, as described and conditioned in the staff report dated June 24, 2002. Motion carried unanimously. B-aye; J-aye; H-aye.

HEARING – Consider the removal of the utility easements for certain lots in Alderbrook Golf & Yacht Club Estates, Division 3, 4, 5, 6, and 7. Applicant: Crista Ministries

Ms. Bennett-Cummings presented the resolution to remove the utility easements for certain lots in Alderbrook Golf & Yacht Club Estates.

Cmmr. Holter/Baze moved and seconded to approve the removal of the five foot utility and drainage easements between lots described in the resolutions (Resolution #78-02, 79-02, 80-02, 81-02, 82-02,83-02 and 84-02) in the plat of Alderbrook Golf &Yacht Club Division 3, 4, 5, 6, 7, 9, and 10, with the understanding that this is for the purpose of performing a series of boundary line adjustments. These resolutions become effective upon recording with the Mason County Auditor. Motion carried unanimously. B-aye; J-aye; H-aye. (Exhibits F-L)

HEARING – Consider the removal of the utility easements for Lots 27 & 28, Emerald Lake, Division 3. Applicant: William Field

Ms. Bennett-Cumming presented the resolution for the removal of the utility easement for lots 27 & 28 at Emerald Lake, Division 3. The applicant is William Field and Esther Gebhardt-Field for the purpose of obtaining a parcel

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Agreement by adding the new job titles of Senior Accounting Technician and building Inspector IV retroactive to January 1, 2002. Motion carried unanimously. B-aye; J-aye; H-aye.

DATA SHARE AGREEMENT - DNR

Jerry Hauth, Public Works, requested the Board execute the data share agreement with DNR.

Cmmr. Baze/Holter moved and seconded to authorize the Chair to execute the Data Share Agreement with the Washington State Department of Natural Resources. Motion carried unanimously. B-aye; J-aye; H-aye.

CRP 1587 – AGATE ROAD – SMALL WORKS ROSTER

Mr. Hauth recommended the Board approve the contract for CRP 1587, replacing the culvert at Spring Creek on Agate, to DLB Earthwork Co.

Cmmr. Holter/Baze moved and seconded to authorize the Chair to execute the Small Works Contract with DLB Earthwork Co. for CRP 1587, Agate Road (Spring Creek) for their proposal amount of \$99,867.00 Motion carried unanimously. B-aye; J-aye; H-aye.

LOGGING CONTRACT – CRP 1471

Mr. Hauth requested the Board approve an amendment to the original logging contract with Joe Gordon Logging, Inc. to include the removal of the additional timber from Simpson Timber Company property.

Cmmr. Baze/Holter moved and seconded to authorize the Chairperson to execute the amendment to the logging contract with Joe Gordon Logging, Inc for additional tree removal in conjunction with CRP 1471, Cloquallum Road. Motion carried unanimously. B-aye; J-aye; H-aye.

CRP 1764, LOMBARD ROAD NORTH

Mr. Hauth presented a resolution to the Board for CRP 1764 to place a 3rd shot of BST on .40 mile of Lombard Road North as part of the 2002 Chip Seal Program.

Cmmr. Holter/Baze moved and seconded to approve a resolution for CRP 1764, to place a 3rd shot BST on .40 mile of Lombard Road North, and include it as part of the 2002 Chip Seal Program. Motion carried unanimously. B-aye; J-aye; H-aye. Resolution No. 86-02 (Exhibit N)

REIMBURSABLE AGREEMENT – FPD #2

Mr. Hauth submitted, for approval, a reimbursable agreement with Mason County Fire District #2.

Cmmr. Baze/Holter moved and seconded to execute the reimbursable agreement between the Mason County Road Department and Fire District No. 2 for the Mason County Road Department to pave an asphalt concrete pad in front of the fire station. Motion carried unanimously. B-aye; J-aye; H-aye.

ADOPT-A-ROAD AGREEMENT – STAR LAKE DRIVE

Mr. Hauth presented an adopt-a-road agreement for litter control on Star Lake Road and feeder roads.

Cmmr. Holter/Baze moved and seconded to authorize the Chair to execute the Adopt-a-Road agreement 0275STAR1 sponsored by the Star Lake Community Club in the Star Lake Plat. Motion carried unanimously. B-aye; J-aye; H-aye.

TIDELANDS TRADE – SEA VIEW FARMS

Request for the Commissioners to sign the documents to complete the tidelands trade with Sea View Farms.

Cmmr. Baze/Holter moved and seconded to sign the documents for the tidelands trade with Sea View Farms. Motion carried unanimously. B-aye; J-aye; H-aye.

FEDERAL CERTIFICATION – CERTIFICATION AND DEBARMENT

Request that the chair sign the DSHS Debarment Certification form.

Cmmr. Holter/Baze moved and seconded to sign the certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions for the DSHS contract. Motion carried unanimously. B-aye; J-aye; H-aye.

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Special occasion liquor license - Back Country Horseman of Washington, July 26, 27, and 28, 2002, enclosed area at 751 W Fairground S. Road, Shelton.

Cmmr. Holter/Baze moved and seconded there are no objections to the special occasion liquor license for the Back Country Horseman of Washington for July 26, 27 and 28 at the fairgrounds. Motion carried unanimously. B-aye; J-aye; H-aye.

Special occasion liquor license – Mason General Hospital Foundation, August 22, 2002, Mason Co. Fairgrounds, Main Pavilion, Shelton.

Cmmr. Baze/Holter moved and seconded there are no objections to the special occasion liquor license for the Mason County Hospital Foundation on August 22, 2002 at the Mason County Fairgrounds. Motion carried unanimously. B-aye; J-aye; H-aye.

Assumption of liquor license from Sandy's Deli-Mart, Inc to Sandy's Deli-Mart; privileges applied for: grocery store – beer/wine.

Cmmr. Holter/Baze moved and seconded there are no objections to the assumption of the liquor license from Sandy's Deli-Mart, Inc. to Sandy's Deli-Mart. Motion carried unanimously. B-aye; J-aye; H-aye.

Application in lieu of current privilege for Victoria's, applicants: Blacor, Inc., Blake & Corinne Caldwell; privileges applied for: spirits/beer/wine restaurant lounge.

Cmmr. Baze/Holter moved and seconded there are no objections to the application in lieu of current privilege for Victoria's. Motion carried unanimously. B-aye; J-aye; H-aye.

APPROVAL OF VOUCHERS

FUND NAME	WARRANT NUMBER	AMOUNT
Claims Clearing	40616-41047	276,359.26
Salary Clearing	122105-122346	178,389.00

ADJOURN

The meeting adjourned at 8:05 p.m.

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ATTEST:

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Rebecca S. Rogers, Clerk of the Board

Wesley E. Johnson, Chairperson

Herb Baze, Commissioner

Bob Holter, Commissioner