

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

JULY 23, 2002

The meeting was called to order at 6:00 p.m. by Chairperson Wesley Johnson. Commissioner Bob Holter was in attendance. Commissioner Herb Baze was attending a Washington Counties Risk Pool meeting.

APPROVAL OF MINUTES

Cmmr. Holter/Johnson moved and seconded to approve the regular meeting minutes of July 2, 2002 and the briefing minutes of July 1, 2002. Motion carried unanimously. B-absent; J-aye; H-aye.

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

NORTH MASON CHAMBER OF COMMERCE

The North Mason Chamber of Commerce has requested the County transfer the management of a piece of property at the corner of State Route 300 and Old Clifton Road from the Road Department to the Parks Department and provide on-going maintenance. Copy referred to the Public Works Department and Tourism & Recreation Department.

INDIAN TRUST LAND

The United States Department of the Interior Bureau of Indian Affairs informed the County that they have decided to acquire in trust for the Squaxin Island Tribe a 17.01-acre tract (Whitener, Moore, and Kruger properties) located in Mason County, Washington.

WATER QUALITY SPECIAL ASSESSMENT

Will & Mary Wyatt sent a letter opposing the proposed water quality special assessment.

SUBSTANTIAL DEVELOPMENT PERMIT

Ten letters of support were received for the SDP for Calvin & Jane Christensen.

COUNTY ADMINISTRATOR CONTRACT

Theresa Kirkpatrick sent a letter stating she is opposed to the proposed contract for the County Administrator position and she is opposed to any budget supplement for this position.

B U S I N E S S

JAIL CHANGE ORDER

Mike Rutter, Facilities & Grounds, requested the Board approve change order #10 for the Mason County Jail remodel project which included nine changes in the total amount of \$18,162.

Cmmr. Holter/Johnson moved and seconded to approve and sign change order #10. Motion carried unanimously. B-absent; J-aye; H-aye.

POST FOR QUOTES – CANOPY REPAIRS

Dave Loser, ER&R, requested permission to use the post for quotes procedures to repair the Central Shop fuel facility canopy.

Cmmr. Holter/Johnson moved and seconded to authorize the Equipment Rental & Revolving Fund Manager to utilize post-for-quotes/telephone bid procedures to repair the Central Shop fuel facility canopy. Motion carried unanimously. B-absent; J-aye; H-aye.

CRP 1728 CLOQUALLUM ROAD – SMALL WORKS PROJECT CONTRACTOR SELECTION

Bill Tabor, Public Works Deputy Director, requested the Chair be authorized to sign the contract for bank repair and stabilization on the Cloquallum Creek.

Cmmr. Holter/Johnson moved and seconded to authorize the chair to execute the contract with Northwest Rock, Inc. for Small Works Project CRP 1728, Cloquallum Road (erosion repair at milepost 18.77). Motion carried unanimously. B-absent; J-aye; H-aye.

ROAD CLOSURE CRP 1686 (EELLS HILL ROAD)

Mr. Tabor requested the Board approve the resolution to close Eells Hill Road at milepost .10 (Hunter Creek) for replacement of three culverts.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
JULY 23, 2002 – PAGE 2 OF 5**

SET HEARING - SUPPLEMENTAL APPROPRIATION FOR CURRENT EXPENSE FUND

Ron Henrickson, Director of Community Development, requested the Board to approve the resolution setting a budget hearing on August 13, 2002 at 9:30 a.m. to the Current Expense Fund. This will be used to fund the positions of Building Inspector II and Planner IV. DCD has experienced an increase in building permitting revenues amounting to more than \$150,000 in unanticipated revenue for the first half of the year.

Cmmr. Holter/Johnson moved and seconded to approve Resolution No. 99-02 setting the public hearing to consider the supplemental appropriation for the 2002 to the Current Expense budget in the amount of \$41,379. The hearing shall be set for August 13th at 9:30 a.m. in the Mason County Commission Chambers. Motion carried unanimously. B-absent; J-aye; H-aye. (Exhibit B)

AUTHORIZATION TO SUBMIT GRANT TO WASHINGTON STATE LOCAL RECORDS COMMITTEE

Mr. Henrickson requested permission to submit a \$20,000 grant request to the Washington State Archives for record retention at the Department of community Development.

Cmmr. Holter/Johnson moved and seconded to approve the submission of the grant request to the State of Washington Archives and authorize the Chair to sign on behalf of the Commission. Motion carried unanimously. B-absent; J-aye; H-aye.

ESTABLISH WATER CONSERVANCY BOARD

Mr. Henrickson stated that on July 16th the Board held a public hearing on the establishment of a Water Conservancy Board. No adverse comment was received. Staff is recommending the Water Conservancy Board be established, members be appointed and by-laws be adopted.

Mr. Henrickson pointed out that the Water Conservancy Board can review any type of water right change that DOE can consider, including moving the source location, the type of use and the point of use of the existing water right although the Water Conservancy Board is not required to consider any application.

Cmmr. Holter/Johnson moved and seconded to approve Resolution 100-02 to establish a Mason County Water Conservancy Board to review applications for water right transfers within the geographic boundaries of Mason County, with funding to be by a fee of \$900 dollars for applications, and with the initial by-laws contained in Attachment A. Motion carried unanimously. B-absent; J-aye; H-aye. (Exhibit C)

Cmmr. Holter/Johnson moved and seconded that the following Mason County Water Conservancy Board members and alternate be appointed: John B. Noble, Drew Noble, Donald R. Melnick and George Campbell as an alternate. Motion carried unanimously. B-absent; J-aye; H-aye.

PLANNING ADVISORY COMMISSION BYLAWS

Mr. Henrickson recommended the Board adopt an ordinance providing for bylaws of the Planning Advisory Commission.

Cmmr. Holter/Johnson moved and seconded to adopt Ordinance No. 101-02 which sets forth the bylaws for the Planning Advisory Commission and the Shoreline Advisory Board. Motion carried unanimously. B-absent; J-aye; H-aye. (Exhibit D)

HEARING – Consider a shoreline substantial development permit proposal to construct a pier, ramp, and float located on the south shore of the Hood Canal. Applicants: Jeff & Michelle Watson

Pam Bennett-Cumming, Planner, presented the staff report. The proposal is to construct a 8ft x 40ft pier, connected to a 4ft x 24ft ramp overlapping an 8ft x 24 ft float. Two 6ft x 20ft floats will be attached perpendicular to the float to form a “U” boat slip. All components will be constructed offsite except the pier.

The 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

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
JULY 23, 2002 – PAGE 3 OF 5**

There was no public comment.

Cmmr. Holter/Johnson moved and seconded to approve the Watson pier, ramp and float Substantial Development Permit application no.: SHR2002-00009, with findings of fact, as described and conditioned in the staff report dated July 23, 2002. Motion carried unanimously. B-absent; J-aye; H-aye.

HEARING – Consider a shoreline substantial development permit proposal to extend an existing sewer outfall located adjacent to the south shore of Hood Canal; Applicant: Alderbrook Inn/Resort

Pam Bennett-Cumming, Planner, presented the staff report. The proposal is to extend an existing 6 inch HDPE plastic sewer outfall pipe an additional 1,500 linear feet into Hood Canal. The pipe will lie on the canal bed. The purpose of the extension is to convey treated wastewater into deeper water, thereby potentially opening up the existing shellfish beds for the possibility of commercial harvest.

As designed, the proposal 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. Prior to construction, applicant shall obtain all necessary federal, state and local permits for this project.
2. 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.
3. Water quality is not to be degraded to the detriment of the aquatic environment as a result of this project.
4. Applicant shall work directly with Washington State Department of Health to ensure that the specific siting of the extended outfall terminus meets their location requirements relative to the new 300 yard closure zone proposed by them. At minimum this may mean moving the terminus slightly east as necessary to ensure a minimum distance of 300 yards from the 70ft depth contour.

Frank Meriwether, DOH, commented on the closure zones. The extension will bring the end of the outfall into very deep water which will assist in the dilution and disbursement of the treatment outfall water from Alderbrook. The DOH has a minimum size of closure zone around any wastewater treatment plant outfall of 300 yards. In his letter that was submitted to Mason County, it was noted that no shellfish should be harvested from the area of the existing outfall for one to two years after the extended outfall begins operation.

Cmmr. Holter/Johnson moved and seconded to approve the Alderbrook Inn sewer pipe outfall extension Substantial Development Permit application no.: SHR2002-00013, with findings of fact, as described and conditioned in the staff report dated July 23, 2002. Motion carried unanimously. B-absent; J-aye; H-aye.

HEARING – Consider a shoreline substantial development permit proposal to construct a pier, ramp, and float located on the south shore of the Hood Canal; Applicants: Calvin & Jane Christensen

Pam Bennett-Cumming, Planning, presented the staff report. The proposal is to construct a 6ft x 38ft pier connected to a 4ft x 40ft ramp connected to 7ft 10in x 20ft float (set at right angles). A boat slip will be formed by extending 2 floats, each 6 ft x 20ft at right angles to the 7ft 10in x 20 ft float. Seven pilings will be driven to secure the structure. The ramp will be aluminum. All wood will be ACZA treated pre-soaked. Float stops will not allow grounding of any structure. The length of the structure is 100 ft, tidal depth at waterward end is 0.0 tide.

The site is on the shoreline of Hood Canal with a gently sloping beach. In the immediate area there are no piers and docks. The closest one to the southwest is approximately 500 feet distance, to the northeast there is an approximate 3/10 mile section without docks.

SEPA comments were received from DOE which noted that the project's site plan did not meet the requirements for a shoreline permit application and the project would need a Corps permit.

In a letter dated July 17, 2002, the Washington State Department of Fish and Wildlife revoked the previously issued Hydraulic project Approval, on the basis that the habitat survey was done incorrectly. They indicated the application would be reconsidered once the survey met the agency's specifications.

There have been individual comments received by several concerned citizens opposed to the project. Their concerns include the impact to the view, shoreline use, aesthetics, marine environment, the noise of wave action on the dock, and the scale of the project.

Comments were also supplied by Mr. Christensen, on what appeared to be identical form letters, in support of the

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
JULY 23, 2002 – PAGE 4 OF 5**

Eric Thorson, Port Townsend, represented the John Streutker family, presented photos of the area. They oppose the project. They are concerned with the view obstruction, how ACZA could affect the environment and they want to keep the area as natural as possible.

Amy Leitman, Marine Surveys and Assessments, she is the biologist who performed the biological evaluation of this project. She responded to comments she heard previously at this hearing. She stated there are very few deep water sites on Hood Canal. With regard to the concern with the slope and that it would leave a fairly high structure, she stated the area has a moderate slope and she believes it would be a nine foot height at the very highest point of the pier structure. From a biological point of view, the pristine state of Hood Canal is impacted most greatly by bulk heads. Bulk heads create problems for animals and plants and create erosion issues. She referred to a white paper on treated wood. She summarized that arsenic as well as other elements in the ACZA piling are used to fix the chemicals that prevent the piles from being damaged. The piling are then steamed to get the extra chemicals out. She stated the studies show that after 10 days, the leaching completely stops. She will correct the transect lines in her biological report.

Calvin Christensen, applicant, presented photos of the area. He stated there are two docks within a 1,000 feet of his property, in one direction the closest dock is 500 feet from his property, the other direction it is 3/10 of a mile. He stated the proposal will sit lower than what people think and because their property sits back further, they will only project out 70 feet into the view of neighboring properties. Their intent is to enjoy their waterfront lot.

Cmmr. Johnson noted there is a letter from Fish & Wildlife withdrawing their HPA approval.

Leslie Krueger, has property on Hood Canal, supports the proposal. She believes docks can provide for safe swimming and boat access.

Jane Christensen, owner of property, wants to be able to enjoy the canal to the fullest and she believes this proposal would make it much easier for her.

There was discussion about Fisheries revocation of the HPA. Ms. Bennett-Cummings stated she talked to Mr. Christensen about that this morning and he wanted to go ahead with the hearing. They reviewed the transect lines.

Cmmr. Holter stated he believes the transect lines can be corrected. The SMP allows for docks, that meet the requirements, in areas where there currently are docks. He referred to the piers and docks policy that is a serious part of the SMP. He appreciates the fact the property owner would like to have a dock to enjoy the waterfront but he doesn't want to see a dock in an area where currently there aren't any docks.

Cmmr. Johnson referred to the Department of Fisheries comments that conditions that may have applied in the past, don't apply now and they felt it was necessary to revoke the HPA that was issued. He stated that perhaps this can be resolved, but before them right now is a revocation that carries a great deal of weight.

Cmmr. Holter/Johnson moved and seconded to deny the Christensen pier, ramp and float Substantial Development Permit application no. SHR2002-00007, based on its inconsistency with the Shoreline Master Program as provided in the staff report dated July 23, 2002 and instruct staff to prepare findings of fact which reflect this decision. Motion carried unanimously. B-absent; J-aye; H-aye.

LIQUOR LICENSE APPLICATION

Special Occasion – Applicant: Alderbrook Golf & Yacht Club; Date: August 10 & 11, 2002; Time: 11:30 am – 7 p.m.; 11:30 am – 6 pm; Place: Alderbrook Golf Club, Union, WA.

Cmmr. Holter/Johnson moved and seconded there are no objections to the special occasion permit for Alderbrook for August 10, 11 at 330 E Country Club Drive East. Motion carried unanimously. B-absent; J-aye; H-aye.

EASEMENT REMOVAL HEARINGS

The Planning Department is requesting four hearings be set on August 20, 2002 to consider drainage and utility easement removals for the following: 9:30 a.m. Kenneth & Julie Hueseby, lots 28 & 29, Lake Limerick, Division 2; 9:40 a.m. Lee Erickson, lots 22 & 8, Colony Surf, Division 2; 9:50 a.m. Charlotte Gilje, lots 51 & 52, Lake Cushman, Division 18, Block 3; and 10:00 a.m. Richard & Marilyn Dybeck, lots 53H & 54H, Alderbrook Golf & Yacht Club, Division 3.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
JULY 23, 2002 – PAGE 5 OF 5**

VETERANS ASSISTANCE

The Screening Committee has recommended approval of the Veterans' Assistance for Bobby Gullotto, (VFW 1694) \$400 rent.

Cmmr. Holter/Johnson moved and seconded to accept recommendation of the screening committee and approve the Veterans' Assistance application for Bobby Gullotto, \$400 rent. Motion carried unanimously. B-absent; J-aye; H-aye.

RESPONSE TO LEAGUE OF WOMEN'S VOTERS REPORT

Cmmr. Johnson read aloud a response to the League of Women Voters presentation on the 101 Connector/Belfair Bypass study.

The Commissioners have requested the County Auditor to compile and make public a complete and accurate accounting of all public expenditures related to this project.

APPROVAL OF WARRANTS

| FUND NAME | WARRANT NUMBER | AMOUNT |
|------------------|-----------------------|---------------|
| Claims Clearing | 42511-42714 | 233,959.68 |
| Salary Clearing | 122795-123038 | 181,994.20 |

ADJOURN

The meeting adjourned at 8:05 p.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Wesley E. Johnson, Chairperson

ATTEST:

Bob Holter, Commissioner

Rebecca S. Rogers, Clerk of the Board

Absent _____
Herb Baze, Commissioner