

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

SEPTEMBER 17, 2002

The meeting was called to order at 9:00 a.m. by Chairperson Wesley E. Johnson. Commissioner Bob Holter was in attendance. Commissioner Herb Baze was attending a conference in Wenatchee representing the Board.

APPROVAL OF MINUTES: Cmmr. Holter/Johnson moved and seconded to approve the meeting minutes of August 6, 2002. Motion carried unanimously. B-absent; H-aye; J-aye.

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

WASHINGTON STATE UNIVERSITY/COOPERATIVE EXTENSION

Received a letter from P. Cavender expressing appreciation to the County for funding the Washington State University Cooperative Extension program in Mason County.

WESTWARD WAY

A request was received to widen Westward Way which was referred to Public Works.

AT&T BROADBAND

Notification was received from AT&T Broadband concerning a change in their program effective September 19, 2002 to include additional Dolby Digital 5.1 premium channels.

NORTH BAY – FINAL ORDER

The State of Washington Department of Health sent a copy of the Final Order reclassifying a portion of the Conditionally Approved commercial shellfish growing area (1100 acres) in North Bay to Approved effective September 5, 2002.

B U S I N E S S

PROCLAMATION – 2002 AIDS WALK

Ben Johnson, Public Health Services, announced the Annual Walk Against AIDS day set for September 28, 2002. He recommended the Board adopt a proclamation.

Cmmr. Holter/Johnson moved and seconded to adopt the proclamation naming September 28, 2002 as Walk Against AIDS Day in Mason County. Motion carried unanimously. B-absent; H-aye; J-aye.

AUTHORIZATION TO SELECT ARCHITECT

Public Works Director Jerry Hauth requested authorization to select an architect off the 2002 Consultant Roster to provide remodeling plans for the Basement of Building 8.

Cmmr. Holter/Johnson moved and seconded to authorize the Director of Public Works to select an architect off the 2002 Consultant Roster to provide remodeling plans for the Basement of Building 8. Motion carried unanimously. B-absent; H-aye; J-aye.

VETERANS ASSISTANCE FUND

- 1) Scott E. Kaylor – VFW 1694 – Housing \$400.00
- 2) Amelia Neese – VFW 1694 – Housing \$400.00

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Cmmr. Holter/Johnson moved and seconded to approve the request for assistance of Scott E. Kaylor – Housing \$400.00 and Amelia Neese–Housing \$400.00 for a total of \$800.00. Motion carried unanimously. B-absent; H-aye; J-aye.

RESET HEARING – MOTOR VEHICLE IMPOUND YARDS IN URBAN GROWTH AREAS

It is recommended the Board set a hearing date of Tuesday, October 1, 2002 at 10:00 a.m. to consider an interim change to Ordinance No. 82-96 to provide alternative buffer regulations for motor vehicle impound yards in urban growth areas.

Cmmr. Holter/Johnson moved and seconded to set a hearing on October 1, 2002 at 10:00 a.m. to consider an interim change to Ordinance No. 82-96 to provide alternative buffer regulations for motor vehicle impound yards in urban growth areas. Motion carried unanimously. B-absent; H-aye; J-aye.

LIQUOR LICENSE APPLICATION

Assumption From: KU Acquisition Corporation dba Quality Food Center #101; Applicants: Quality Food Centers, Inc. Darrell D Webb; James C. Aalberg; Paul W. Heldman; Tradename: Quality Food Center #101; Privileges Applied for; Grocery Store – Beer/Wine.

Cmmr. Holter/Johnson moved and seconded there are no objections to the liquor license Assumption From: KU Acquisition Corporation dba Quality Food Center #101; Applicants: Quality Food Centers, Inc. Darrell D Webb; James C. Aalberg; Paul W. Heldman; Tradename: Quality Food Center #101; Privileges Applied for; Grocery Store – Beer/Wine. Motion carried unanimously. B-absent; H-aye; J-aye.

RECESS

The Board recessed briefly until the 9:15 a.m. hearing.

HEARING – REMOVE APPLICATION - SIX-YEAR FOREST PRACTICES DEVELOPMENT MORATORIUM

The Board held a public hearing to consider the application of Island West Associates to remove six-year forest practices development moratorium from an 11.79 acre parcel located on Reeves Hill Road, near Lake Nahwatzel. Michael MacSems, Planner, briefly explained that five years ago the state changed the way they processed logging permits. A Class III logging permit which is strictly a state review there is less stringent requirements, it is anticipated the property will remain in forestry land. Another process is Class IV general when converting property from forestry use to non-forestry use. This has a County review element (review SEPA and make sure it is in keeping with all County regulations).

The logging was consistent with the county rules in 1998. There is a wetland and appropriate buffers are established.

It was recommended the board approve the removal of the six-year forest practices development moratorium. A Class III permit is \$50 and a Class IV permit starts at approximately \$700. The applicant has not saved any money by starting with a Class III and changing their mind.

Dan Holman, Island West Associates Partner, explained that there was a misunderstanding when they initiated the process. The applicant had originally filled out an application for a (Class IV) conversion statement. They were planning to log the property themselves. At the last moment, Manke Lumber offered them a good price for the timber,

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which they accepted. Unbeknown to them Manke did not use the permit they had filed. The applicant was not trying to circumvent the process.

Cmmr. Holter/Johnson moved and seconded to approve the application of Island West Associates to remove the property described as VAR 2002-00039 from a six-year forest practices development moratorium from FPA #2405453 an 11.79 acre parcel located on Reeves Hill Road, near Lake. Motion carried unanimously. B-absent; H-aye; J-aye.

RECESS

The Board recessed until the next scheduled hearing at 9:25.m.

HEARING – SIX YEAR FOREST PRACTICES DEVELOPMENT MORATORIUM

The Board held a hearing to consider the application of Joanie Mogolis to remove a six-year forest practices development moratorium from a 40-acre parcel located at Pickering Road.

Michael MacSems, Planner, explained that the previous owner of the property had some Class III logging done. The current owner of the property was not aware of the logging at the time they purchased the property. The moratorium according to the state law is automatic as soon as the DNR issues a Class III permit. There is a form called “notice of moratorium” signed by the applicant and recorded with the county. The form serves the purpose of notifying the public that the moratorium is in effect on the property. The notification form was recorded with the Auditor’s office but was not entered into the County’s computer tracking system. There was no red flag and the building department issued a building permit erroneously. There were two parcel numbers on the property when they bought it and it turned out one was a senior citizen exemption and not an actual separate parcel. In order to deal with the financing issue they needed to subdivide the property and also would need to deal with the moratorium.

In visiting the site it appeared the loggers had done a good job. There was a comment from the neighbor on the north property line and they felt stormwater flow had increased onto their property since the cutting of a certain part of the lot occurred. In visiting the site and talking to the neighbor it appeared that historically there has been water shedding off this portion of the property and they had long ago created a system to deal with it. When the trees were removed there was a lot of rut where the trees were removed and may have changed or concentrated the flows of the runoff more directly to certain points. There were concerns and the applicant and neighbor felt they could come to some accommodation about this.

There are conditions on the SEPA that a stormwater plan is developed and specific attention to that portion of the property where the concerns are with the neighbor.

The Board questioned if there were any steps being taken to prevent a similar flagging error in the permitting process in the future.

Mr. MacSems stated they haven’t changed the process and it has worked in the past.

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Planning Staff recommended approval of the removal of the moratorium with the condition that the short plat shall not be approved until stormwater plans address the situation for the entire parcel, but specifically for the northeast corner is developed and found acceptable by the County.

Kim Goldsby noted that she represented Joanie Mogolis and concurred with the staff report and that the owner has a financial hardship. They did not want to do a short plat, but were required by the financial company. The best solution was to make the majority of the home being built have the biggest parcel which is 30 acres and then make three 2+ acre pieces where there are no wetlands.

The Board stressed that the Board's action, if the permit is approved, is only removal of the moratorium and not approval of the subdivision.

Cmmr. Holter/Johnson moved and seconded to approve the application of Joanie Mogolis to remove the property described in VAR 2002-00040 for the six year development moratorium resulting from FPA #2406648 subject to the conditions of the staff report and authorize the chair to sign the Findings of Fact. Motion carried unanimously. B-absent; H-aye; J-aye.

RECESS

The Board recessed at 9:36 a.m. until 9:46 a.m.

HEARING - UTILITY EASEMENT REMOVAL

The Board held a public hearing to consider the removal of the utility easement between tax parcel numbers 32109-50-00080; 32109-50-00081; and 32109-50-00084 Lots 80, 81, and 84 located in the plat of Alderbrook Golf & Yacht Club, Division 5.

Michael MacSems, Planner, requested that the Board continue this matter for one week.

Cmmr. Holter/Johnson moved and seconded to continue the hearing to September 24, 2002 at 6:30p.m. Motion carried unanimously. B-absent; H-aye; J-aye.

HEARING - SUPPLEMENTAL APPROPRIATION

The Board held a public hearing to consider a supplemental appropriation to the Health Services Fund in the estimated amount of \$284,075.

Steve Kutz, Public Health Services, recommended the Board approve the supplemental appropriation to the Health Services Fund due to unanticipated state and federal grants.

Every year they have at least one request for a budget amendment, which would reconcile all the contractual changes, and budgetary changes that happen each year in the Health Services Department. They have many different grant sources come in through the Consolidated Contract Department of Health. Not all of the funds are expended in the previous year and sometimes the funds are carried over into the next year.

Cmmr. Holter/Johnson moved and seconded to approve the supplemental appropriation to the 2002 budget for the Health Services Fund in the amount of \$284,075 as presented. Motion carried unanimously. B-absent; H-aye; J-aye. Order signed (Exhibit A)

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HEARING – VARIANCE FROM THE RESOURCE ORDINANCE

The Board held a public hearing and Rick Mraz, Planner, presented the staff report to consider the variance from the Mason County Resource Ordinance No. 77-93 for Barbara Morris residence located at Tahuya . The proposal is to place a 784 square foot residence, within the buffer for Caldervin Creek, a Type III stream.

Planning Staff recommended approval of the proposal with the following conditions:

- 1) The restoration and monitoring provisions of the Habitat Management Plan shall be enacted.
- 2) All upland areas disturbed or newly created by construction activities shall be seeded, vegetated or given an equivalent type of erosion protection (silt fencing or straw matting)

A letter was acknowledged from the Skokomish Tribe and it was noted their suggestions have been reviewed during the Planning Advisory Commission meeting.

Mrs. Morris commented they did move their structure as far as they could. They dug up the whole septic and found where it was located. They did six schematics and none of them could turn out right until they found out the property was only 97' deep instead of 130' as it was stated.

Cmmr. Holter/Johnson moved and seconded to conditionally approve the variance VAR2002-00020 a proposal to locate a manufactured home within a Type III stream buffer and authorize the chairperson to sign the Findings of Fact. Motion carried unanimously. B-absent; H-aye; J-aye.

PROBATION SERVICES VIDEO PRESENTATION

Harris Haertel, Probation Services Administrator, showed a part of a video produced by the King County Prosecuting Attorney Office titled Keeping Kids in Schools and dealing with truancy. The issue of truancy is not limited to school problems and is not resolved through court intervention alone. It requires partnership between schools, courts, and community.

PROGRAM AGREEMENT AMENDMENT BECCA

Mr. Haertel requested authorization for the chairperson to sign an interagency agreement with Mason County Juvenile Court and Shelton School District. BECCA bill funds will be used to purchase 12 hours per week educational assistant time for support of the programs. The BECCA funds designated to the Prosecutor and Clerk offices will not be affected. This is \$555 per month of funding for up to 48 hours of educational assistant time.

The goal is to establish a weekly community Truancy Board for the freshman class at Shelton High School and CHOICE alternative school.

Cmmr. Holter/Johnson moved and seconded to authorize the chair to sign the interagency agreement between Mason County and the Shelton School District for the purpose of providing \$555.00 per month of BECCA bill funding for 48 hours of educational assistant time. Motion carried unanimously. B-absent; H-aye; J-aye.

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ADJOURNED

The meeting adjourned at 10:46 a.m. due to no further business.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Wesley E. Johnson, Chairperson

Bob Holter, Commissioner

Absent 9/17/02

Herb Baze, Commissioner

ATTEST:

Rebecca S. Rogers, Clerk of the Board