

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

November 19, 2002

The meeting was called to order at 9:02 a.m. with the flag salute by Chairperson Wesley E. Johnson. Attendance: Cmmr. Dist. 1, Herb Baze; Cmmr. Dist. 2, Wes Johnson; Cmmr. Dist. 3, Bob Holter.

APPROVAL OF MINUTES: Cmmr. Holter/Baze moved and seconded to approve the October 22 and November 5 meeting minutes. Motion carried unanimously. B-aye; J-aye; H-aye.

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

BELFAIR-SUBAREA PLANNING – APPLICANTS

Tim Wing, Fred Barrett, and Mike Boyle

PROCLAMATION FOR RECOGNITION OF WORLD AIDS DAY ON DECEMBER 1, 2002.

Ben Johnson presented the Commissioners with a request to adopt a proclamation for recognition of World Aids Day on December 1st as set by the President. He stated we will recognize it on the 3rd and will have a special event in the Commission Chambers at noon everyone is invited.

Cmmr. Baze/Holter moved and seconded to approve the Proclamation. Motion carried unanimously. H-aye; B-aye; J-aye.

B U S I N E S S

OPEN FORUM FOR CITIZEN INPUT

Gary Yando publicly acknowledged Cmmr. Holter for the fairness that he has shown the community and the help he has given to the Utilities and Waste Management Department and wished him a farewell.

ADOPTION OF AGENDA

Cmmr. Holter/Baze moved and seconded to adopt the agenda as presented. Motion carried unanimously. H-aye; B-aye; J-aye.

CONSENT AGENDA

Cmmr. Johnson presented Consent Agenda items 9.1 through 9.8.

9.1 Bid Award – Autoclave for Water Quality Lab – Recommendation is to award the bid submitted by Getinge Castle in the amount of \$38,670.79.

9.2 Approval of Agreement between Guttormson Brothers, Inc. and Mason County for the installation of an 8-foot diameter bypass manhole structure, approximate. 10 feet deep at the mobile home park pump station for a cost of \$15,151.17. The department estimate was \$10,000 to \$15,000.

9.3 Authorize Public Works to advertise for the 2003 consultant roster.

9.4 Authorize the Chairperson to execute the contract with Parametrix for Phase II intersection design of CRP 1669, Johns Prairie Rd/MCRA walkway in the amount of \$20,003.

9.5 Approve resolution for County road load restrictions/emergency closing orders for winter months. Resolution No. 150-02 (Exhibit C)

9.6 Set public hearing time on December 3, 2002 at 9:30 a.m. to review the proposed amendments to the Mason County Development Regulations and Mason County Resource Ordinance in response to the Western Washington Growth Management Hearings Board August 2002 Findings and Orders.

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9.7 Approval of Title III Funds for the 2003 After School Forestry Education Program. Title III fund request is \$73,223.

9.8 Approval to select Architectural Consultant and to negotiate contract to remodel of lower floor of Building 8 for Public Works Offices.

Cmmr. Baze/Holter moved and seconded to approve the consent agenda, items 9.1 through 9.8. Motion carried unanimously. B-aye; J-aye; H-aye.

9:30 a.m. Public Hearings and Items Set for a Certain Time

PUBLIC HEARING – TO CONSIDER THE REMOVAL OF THE UTILITY EASEMENTS BETWEEN LOTS 31 & 32, ALDERBROOK GOLF & YACHT CLUB ESTATES, DIVISION 4 AS REQUESTED BY ALVIN JOHNSON.

Michael MacSems presented the staff report for Alvin and Lucille Johnson, they would like to combine two lots for building purposes. The property is located on Jack Pine Lane, Shelton in Section 4, Township 21N.

Cmmr. Johnson noted that there was an error from the utility companies on the lot numbers.

Mr. MacSems stated that he has been in contact with Hood Canal Communications and PUD 1. Hood Canal had revised their paperwork and PUD 1 gave a verbal correction, but would follow up with a written correction.

There was no public comment.

Cmmr. Holter/Baze moved to approve motion and seconded to approve with conditions that the PUD 1 written correction is added to the file when it is received. Resolution 151-02 for Alteration to Alderbrook Golf & Yacht Club, Division 4. Motion carried unanimously. B-aye; J-aye; H-aye. (Exhibit D)

PUBLIC HEARING TO REVIEW THE PROPOSED ORDINANCE TO AMEND TITLE 15 MASON COUNTY DEVELOPMENT CODE, BY ADDING, AS A NEW CODE SECTION, THE PERMIT APPLICATION AND REVIEW PROCESSESS OF THE MASON COUNTY SHORELINE MASTER PROGRAM.

Allan Borden presented the proposed action to change the language in Title 15-Development Code and Mason County Shoreline Master Program. These changes will remove the procedural process from the Shoreline Master Program and place them in Title 15. This will consolidate the County's permit procedures.

Mr. Borden handed the Commissioners a letter of comments by the Dept of Ecology that were received last Friday 11/15/02. Due to the extent of Dept of Ecology's comments, the Department of Community Development requested the public hearing be continued to a date no earlier than 12/17/02, in order to respond to these comments.

There was no public comment.

Cmmr. Baze/Holter moved and seconded the continuation of Title 15 to Dec 17th at 9:30am. Motion carried unanimously. H-aye; B-aye; J-aye.

PUBLIC HEARING TO REVIEW THE PROPOSED AMENDMENTS TO THE MASON COUNTY DEVELOPMENT REGULATIONS REGARDING BINDING SITE PLANS IN URBAN GROWTH AREAS; PARKING STANDARDS FOR BUSINESS AND PROFESSIONAL OFFICE LAND USSES AND REVISIONS TO PROTIONS OF TITLE 16 PLATS AND SUBDIVISIONS REGARDING PUBLIC INTEREST AND THIRD PARTY INTERESTS IN LAND DIVISIONS.

Allan Borden presented for consideration three sets of amendments for revision of binding site plans in urban growth areas; parking standards for business and professional office, and revisions to portions of Title 16 Plats and

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Subdivisions regarding public interest and third party interests in land division. The proposed revisions were brought up by the Dept of Community Development and a public hearing was held on Oct 21,2002 in front of the Planning Advisory Commission, and they recommended approval of the proposals as proposed.

Cmmr. Johnson questioned if the reference in the preliminary plats to the Planning Commission should be changed to the Advisory Board.

Mr. Borden stated he would insert the correct language so the terminology is correct and reprint a final copy.

Mr. Overton expressed concerns regarding the appeal process clearly being outlined for fairness and procedures that apply to all. He asked if there is a written appeal process. He also asked the Commissioners if they have a decision making process. He feels that when public testimony is received and a decision is made immediately contrary to the testimony, that the public's voice wasn't heard in the process.

Mr. Borden discussed with Mr. Overton and the Commissioners the complete appeal process.

Cmmr. Baze questioned what kind of communication should we have with the property owner prior to or during the appeal process.

Cmmr. Holter stated that during an appeal process, talk should be limited. Prior to appeal, contact with the property owner is fine because no one knows that there may be a problem with the decision that would bring on an appeal process. During the appeal process, contact with the person is removed for fairness among all parties.

Mr. Nienaber stated the contact does have to be announced for the record. The parties involved in the contact may be asked to step out of the process for fairness to both parties.

Cmmr. Holter responded to Mr. Overton's second question and expressed appreciation in Mr. Overton's position on immediate decision making. As it may happen, when the Board has a public hearing we may make a decision at that time although at other times we reschedule the hearing before making our decision. There is no standard, but most of the time when items come in front of us at public hearings, it is information we have already dealt with in the office. He understands the concerns regarding immediate decision making during board meetings. If it is new and or complicated and it is something that we are not sure of, we will continue it and decide at a later time.

Mr. Palmer stated he is a land use-planning consultant based in Kitsap County and in Gig Harbor. He represented the applicant on behalf of Wolf and Goodell CPA and Attorney in Belfair who are wishing to build a new building. He supports the changes proposed for parking standards.

Mr. VanBusKirk would like to know if the Hearing Examiner and the Director of Community Development, are different people.

Cmmr. Baze stated that the Examiner is an attorney and the other is the Director of the Department of Community Development and is a completely different person.

The public hearing was closed.

Cmmr. Baze/Holter moved and seconded to approve Ordinance 152-02 amendments to the Mason County Development Regulations, Mason County Parking Ordinance, and Title 16 Plats and Subdivisions. Motion carried unanimously. B-aye; H-aye; J-aye (Exhibit E)

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PUBLIC HEARING TO CONSIDER BUILDING/FIRE CODE PERMIT FEE INCREASE.

Tammy Griffey presented the staff report for new building/fire code permit fees. These increases will minimize financial impact on Current Expense and cover costs of the programs. The programs should not be subsidized by the taxpayers but by the people actually requiring the permit, inspection and related services of the department. Their goal is to improve customer service in regards to processing permits and performing inspections and to establish and adopt a fee structure that is reasonable in comparison to surrounding counties and nationally recommended by the International Conference of Building Officials. She is proposing the effective date be Jan 1, 2003

Mr. VasBinder questioned how much revenue is expected with the increase, also, how is it monitored who is getting their permits and new construction.

Cmmr. Holter stated we are trying to pass on the increased need for revenue to the person doing the site improvement rather than the taxpayers paying for someone else's site improvement.

Tammy Griffey explained that the department does respond to complaints.

Cmmr. Baze told Mr. VasBinder that a person is able to call and give an address and see if a permit has been issued for that project.

Cmmr. Johnson stated revenue coming to the County is far less due to the taxpayers not wanting to pay more taxes and voting down any tax increases. This sounds like a good way to cover the costs for the services provided as a user fee rather than a tax payer fee.

Cmmr. Holter questioned if this fee increase is comparable to our neighboring counties.

Tammy Griffey explained that it is a little lower than Kitsap County and the other neighboring Counties.

Cmmr. Holter/Baze moved and seconded to approve Ordinance 148-02 to Amend Resolution 135-01: The Mason County Building Permit Fee Schedule and Valuation Criteria. Motion carried unanimously. B-aye; H-aye; J-aye. (Exhibit A)

PUBLIC HEARING FOR CONSIDERATION OF REVISIONS TO MASON COUNTY ORDINANCE 41-99 IN ORDER TO CHANGE FEES RELATED TO THE PROCESSING OF VARIOUS DEPARTMENT OF COMMUNITY DEVELOPMENT – PLANNING DIVISION'S LAND USE PERMITS, ACTIONS AND APPROVALS.

Bob Fink presented for consideration the staff report and stated that he did miss one fee in the code revisions, it would be added below other permits as a Building permit revision review fee of \$50.00. This fee would cover review or site visit fees. Currently there is no charge to cover this type of service. Mr. Fink requested this be adopted and in effect on December 1st and that the Commissioners to approve the department's finding of facts.

Cmmr. Johnson questioned will this be effective December 1, 2002 or January 1, 2003?

Ron Henrickson suggested that we use January 1, 2003 so that the public can be notified.

Bob Fink stated that some of the reviews are very detailed and take a lot of time so these fees reflect that and are passed on to the person needing this type of review. Other codes have smaller increases due to typical review, which don't take much time.

There was no public comment.

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Cmmr. Baze/Holter moved and seconded to approve Ordinance 149-02 to change processing fees related to various Department of Community Development-Planning Division's land use permits, actions and approvals, and to approve the departments finding of facts. This is done with the condition that the effective date is changed to January 1, 2003. Motion carried unanimously. B -aye; H-aye; J-aye. (Exhibit B)

Cmmr. Johnson declared the hearings complete and the public meeting now closed.

Cmmr. Johnson recognized the service of Cmmr. Holter for the last 15 months. He has made a significant contribution to our County as a Commissioner, as a Sheriff, as a citizen and as Interim Chief of Police for City of Shelton. Cmmr. Johnson stated he is going to be missed. He has been dependable and we could always rely on him. He thanked Cmmr. Holter for his service.

Cmmr. Baze also thanked Commissioner Holter for his dedication and acknowledged the great work he has done as a Commissioner, as a Sheriff, as a citizen and as Interim Chief of Police for City of Shelton. He also agreed that Cmmr Holter is going to be missed.

Cmmr. Holter stated this was new work for him and he enjoyed and learned a lot. He enjoyed working with the Board very much.

ADJOURNED

The meeting adjourned at 10:58 a.m. due to no further business.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Wesley E. Johnson, Chairperson

ATTEST:

Bob Holter, Commissioner

Rebecca S. Rogers, Clerk of the Board

Herb Baze, Commissioner