

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

DECEMBER 10, 2002

The regular meeting was called to order at 9:00 a.m. by Chairperson Wesley E. Johnson. Attendance: Cmmr. Dist. 1, Herb Baze; Cmmr. Dist. 2, Wesley E. Johnson; Cmmr. Dist. 3, Jayni Kamin.

Cmmr. Johnson handed the gavel to Cmmr. Baze to chair the balance of the meeting, due to a weak voice and a long meeting agenda.

APPROVAL OF MINUTES: None

BUSINESS

PUBLIC FORUM

No public comments.

ADOPTION OF AGENDA

Cmmr. Johnson/Kamin moved and seconded to adopt the agenda as printed. Motion carried unanimously. B-aye; J-aye; K-aye.

APPROVAL OF CONSENT AGENDA

- 9.1 Approve the resolution to extend the Hartstene Pointe Sewer System monthly assessment through the end of the year 2004. **Resolution No. 159-02 (Exhibit A)**
- 9.2 Set a public hearing on December 30, 2002 at 9:30 a.m. to consider revising the fee schedule for the Convention Center/Fairgrounds.
- 9.3 Approve an agreement and other necessary documents with WSDOT for the construction of a joint wetland mitigation site for CRP 1235, Crestview Drive.
- 9.4 Approve the Washington Teamsters Welfare Trust Subscription agreement.
- 9.5 Approval to call for bids for a shoreline enhancement project and access improvement to Walker Park. Bids are due in the Commissioner's office by Monday, December 23rd at 11:00 a.m. at which time they will be publicly opened and read. The bid award will be announced on Monday, December 30th.
- 9.6 Approve the addendum to the employment agreement with the Fair Director. This addendum is to add 88 hours during the month of December, 2002 at an hourly rate of \$22.55, not to exceed \$2,000.

Cmmr. Johnson/Kamin moved and seconded to approve the consent agenda as read. Motion carried unanimously. B-aye; J-aye; K-aye.

OTHER BUSINESS

11.1

Skip Wright, Human Resources Director, presented the following four items regarding salaries for non-union employees.

- A. Resolution to amend the non-union salary range table by increasing salaries approximately 2% as specified in Attachment A, effective January 1, 2003.

Cmmr. Kamin/Johnson moved and seconded to approve Resolution No. 160-02 which amends the non-union salary range table by increasing salaries approximately 2% as specified in Attachment A, effective January 1, 2003. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 160-02 (Exhibit B)

- B. Resolution to amend the Deputy Prosecutors Salary Plan by increasing salaries approximately 2% as specified in Attachment A, effective January 1, 2003.

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Cmmr. Johnson/Kamin moved and seconded that the Board approve Resolution No. 161-02 which amends the Deputy Prosecutor's salary plan by increasing salaries approximately 2% as specified in Attachment A effective January 1, 2003. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 161-02 (Exhibit C)

- C. Resolution to establish the annual salary of the Sheriff at \$71,725, the Prosecuting Attorney at \$102,252 and the Coroner at \$44,160 effective January 1, 2003.

Cmmr. Kamin/Johnson moved and seconded the Board approve Resolution No. 162-02 which establishes the annual salary of the Sheriff at \$71,725, the Prosecuting Attorney at \$102,252 and the Coroner at \$44,160 effective January 1, 2003. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 162-02 (Exhibit D)

- D. Resolution to revise the Non-Union Salary Range Alignment by changing the District Court Administrator from range 12 to range 13, adding Fair Manager at Range 11 and adding Project Surveyor/Right of Way Manager at Range 14, effective January 1, 2003.

Cmmr. Johnson/Kamin moved and seconded the Board approve Resolution No. 163-02 which revises the Non-Union Salary Range alignment by changing the District Court Administrator from range 12 to range 13, adding Fair Manager at Range 11 and adding Project Surveyor/Right of Way Manager at Range 14 effective January 1, 2003. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 163-02 (Exhibit E)

Ione Siegler, Budget & Finance Director, submitted the following resolutions for adoption for the 2003 budget.

- A. Two resolutions setting the property tax levy amounts for the Current Expense Fund.

Cmmr. Johnson/Kamin moved and seconded the Board adopt Resolution No. 164-02 which fixes the amount of the ad valorem taxes for the Current Expense Fund for 2002. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 164-02 (Exhibit F)

Cmmr. Johnson/Kamin moved and seconded the Board adopt Resolution No. 165-02 which authorizes the 2003 levy in the amount of \$66, 406.36 which is 1% increase of the previous year. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 165-02 (Exhibit G)

- B. Two resolutions setting the 2003 Road Levy.

Cmmr. Johnson/Kamin moved and seconded to adopt Resolution No. 166-02 which fixes the amount of ad valorem taxes for the Road Fund for 2003 in the amount of \$7,194,171.22. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 166-02 (Exhibit H)

Cmmr. Kamin/Johnson moved and seconded to approve Resolution No. 167-02 to increase the regular property tax levy in the amount resulting from the addition of new construction and improvements to property and any increase in value of state assessed property for the 2003 Road Levy in the amount of \$71, 010.42 which is 1% of the previous year. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 167-02 (Exhibit I)

- C. Resolution setting the 2003 Skokomish Flood Control Zone levy.

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Cmmr. Johnson/Kamin moved and seconded to adopt Resolution No. 168-02 which is a resolution fixing the amount of the ad valorem taxes for the Skokomish Flood Control Zone District for the year 2003 in the amount of \$55,190.17. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 168-02 (Exhibit J)

Cmmr. Kamin/Johnson moved and seconded to adopt Resolution No. 169-02 for an increase in the regular property tax levy for the 2003 Skokomish Flood Control Zone District levy in the amount of \$55,190.17 which is 101% from previous year. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 169-02 (Exhibit K)

PUBLIC HEARINGS

10.1 Hearing - Continuation of a land use variance request by Mike Huson.

Michael MacSems, Planner, explained that the applicant has requested the hearing be continued to June 3, 2003 in hopes that a potential rezone will make this variance request unnecessary. The Planning Department also feels that June 2003 is the earliest as can reasonably be expected for the County to be able to consider a rezone.

Ron Henrickson, Co. Administrator, stated that the County is waiting to become valid with the Growth Management Hearings Board for a decision. The regulations would be able to be processed. Under the regulations, the situation could be addressed through a rezone. Currently, the County is not able to process the rezone as long as the regulations are deemed invalid.

Cmmr. Kamin/Johnson moved and seconded that the Board continue the land use variance hearing for Mike Huson until 9:30 a.m. Tuesday, June 3, 2003. Motion carried unanimously. B-aye; J-aye; K-aye.

10.2 Hearing - Consider the request for the removal of the utility and drainage easements between Lots 61 and 62 of Division 4 of Alderbrook Golf & Yacht Club Estates, for the purposes of a declaration of parcel combination.

Mr. MacSems, Planner, explained to the Board that it appears with the establishment of a Hearings Examiner this would be the last time to bring these utility variances before the Board.

Cmmr. Johnson/Kamin moved and seconded that the Board approve the removal of the utility and drainage easements between Lots 61 and 62 of Division 4 of Alderbrook Golf and Yacht Club Estates, for the purposes of a declaration of parcel combination, as requested by owners William & Marjorie Shreve. The property is located at 81 E Fir Tree Lane, Union, in Section 4, Township 21N, Range 3 WWM. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 170-02 (Exhibit L)

10.3 Hearing - Consider the request for the removal of the utility and drainage easements between Lots 21 and 22 of Division 7 of Alderbrook Golf & Yacht Club Estates, for the purposes of a declaration of parcel combination.

Michael MacSems, Planner, presented the staff report and recommended approval.

Cmmr. Kamin/Johnson moved and seconded that the Board approve the removal of the five (5) foot utility and drainage easements common to Lots 21 and 22 in the Plat of Lakeland Village Division 7, Delores Peterson. Said easement is removed with the understanding that this is for the purposes of performing a declaration of parcel combination. This resolution becomes effective upon recording with the Mason County Auditor. Resolution No. 171-02 (Exhibit M)

10.4 Hearing - consider the request for the removal of the utility and drainage easements between Lots 71 and 72 of Division 7 of Lakeland Village, for the purposes of a declaration of parcel combination. Staff: Michael MacSems

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Planner Michael MacSems read aloud the proposed resolution

Cmmr. Johnson/Kamin moved and seconded to approve the removal of the utility and drainage easements between Lots 71 and 72 of Division 7 of Lakeland Village, for the purposes of a declaration of parcel combination, as requested by owner Robert Noyes, Jr. The property is located at 141 E Westlake Drive South, Allyn, in Section 19, Township 22N., Range 1W., W.M. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 172-02 (Exhibit N)

10.5 Hearings - Consider the request for the removal of the utility and drainage easements between Lot 105 of Division 5 and Lot 16 of Division 8 of Alderbrook Golf & Yacht Club Estates, for the purposes of a declaration of parcel combination. Staff: Michael MacSems

Mr. MacSems explained that this utility easement removal involves two resolutions, as there are two different divisions in Alderbrook Golf & Yacht Club Estates.

Cmmr. Johnson/Kamin moved and seconded that the Board approve the removal of the utility and drainage easements common to Lot 105 in the plat of Alderbrook Golf & Yacht Club Estates, Division 5, and Lot 16 in the plat of Alderbrook Golf & Yacht Club Estates, Division 8, for Martha Rauch. Said easement is removed with the understanding that this is for the purpose of performing a declaration of parcel combination. This resolution becomes effective upon recording with the Mason County Auditor. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 173-02 (Exhibit O)

Cmmr. Kamin/Johnson moved and seconded to approve the removal of the five (5) foot utility and drainage easements common to Lot 16 in the plat of Alderbrook Golf & Yacht Club, Division 8 and Lot 105 in the plat of Alderbrook Golf & Yacht Club Division 5, for Martha Rauch. Said easement is removed with the understanding that this is for the purpose of performing a declaration of parcel combination. This resolution becomes effective upon recording with the Mason County Auditor. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 173A-02 (Exhibit P)

10.6 Public Hearing – Request to table review of Resource Ordinance Variance application No. VAR2002-00015 by Jerry Vermillion, for addition to existing residence located in type IV stream setback. Staff: Pam Bennett-Cumming

The Planning Staff requested the Board table review of the variance pending review of project and subsequent recommendation by the Planning Advisory Commission.

Cmmr. Johnson/Kamin moved and seconded to table review of the Vermillion Resource Ordinance variance request No. VAR2002-00015 pending review of project and subsequent recommendation by the Planning Advisory Commission. Motion carried unanimously. B-aye; J-aye; K-aye.

10.7 Public Hearing – Review of an after-the-fact Shoreline Conditional Use Variance permit application by Scott Woodward for two 6ft high chain link fences with privacy slats on easterly and westerly property lines of applicants shoreline lot. Staff: Pam Bennett-Cumming

Cmmr. Kamin stated she needed to excuse herself from the hearing. The Board asked Cmmr. Kamin to leave the room.

Deputy Prosecutor Darren Nienaber stated that under the appearance of fairness doctrine if there is contact between project opponents or proponents or there is other conflict of interest it is appropriate for someone that is voting to remove themselves from the decision.

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Pam Bennett-Cumming briefly presented the staff report and recommended the hearing be continued to January 7, 2003. The attorney representing the applicant has requested the hearing be continued until after January 5, 2003.

It was noted that the Washington State Department of Ecology did respond with comments that indicated there is nothing in the check list indicating the need for the fences to extend into the water, yet alone waterward.

Cmmr. Johnson/Baze moved and seconded that the Woodward Shoreline Conditional Use/Variance permit request SHR2002-00019 for two six foot chain link fences with privacy slats located waterward of the shoreline setback line be continued to January 7, 2003 at 9:30 a.m. Motion carried unanimously. B-aye; J-aye; K-abstain.

10.8 Public Hearing – Review of a Shoreline Substantial Development Permit to Peter Frankland for pier, ramp & float at 16511 E State Highway 106, Union. Staff: Pam Bennett-Cumming

Pam Bennett-Cumming gave details of the project to construct 6 ft X 40 ft fixed pier of Douglas Fir, 4 ft X 40 ft aluminum ramp and two 6 ft X 20 ft floats plus one 8 ft X 20 ft float that consist of fully enclosed in extruded polyethylene, polystyrene flotation. The total length is a maximum of 100 feet.

There was discussion that there are people that are opposed to the project

Amy Leitman, Applicant's Representative, was present and stated she wrote the biological evaluation and helped write the permits. She showed a picture with a gas can around 100' out where the dock would be placed.

She noted that the applicant contacted 16 of his neighbors before the applications were sent in because he was well aware that if he had a lot of conflict or disagreement he wouldn't likely get a dock. Of all the neighbors no one said anything at that point. It wasn't until later that the letter of objection from his neighbor came through.

Department of Ecology has a website of shoreline aerial photographs. On the website the 1998 aerial photograph show that both to the northeast and to the southwest of the dock within 3.8 miles are 34 piers or 9 piers per mile.

There are cement bulkheads and four boat ramps, a couple floats off shore, several moorage buoys, but no pier, ramp and float within 1300' or the project.

Cmmr. Johnson/Kamin moved and seconded to approve shoreline Substantial Development Permit No. SHR 2002-00010 as presented, with nine (9) conditions listed in the December 10, 2002 staff report. Further move that the board approve the attached Findings of Fact. Motion carried unanimously. B-aye; J-aye; K-aye.

10.9 Public Hearing – Adoption of the 2003 Annual Construction Program. Staff: Jerry Hauth

The Board held a public hearing to consider the adoption of the 2003 Annual Construction Program which is required by Washington Administrative Code. Jerry Hauth, Public Works Director explained the program is a detail of the next year's anticipated construction. A lot of the program is driven by review from the road crew of the various situations in the field. Some is driven by pavement management system analysis. There are AC paving; BST paving - 2 shots; county-wide safety projects; county-wide minor construction; bridge and large culvert construction; and roads, bridges and planning studies; and roads and bridges (P/E and R/W only).

The TIPCAP did not get into discussion of the annual construction program. They only reviewed the six year program.

Theresa Kirkpatrick asked about the \$750,000 expenditure for Public Works offices. Also, she questioned the \$1 million for the new shop. She understood the land exchange is still in discussion. She questioned the budget priorities when the County can't come up with under \$7,000 to fund a 12-year clean water program.

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Constance Ibsen spoke representing herself, rather than as a TIPCAP member. She referred to the striping program and expressed she hoped there would be a clarification on when the fog striping is authorized. She too expressed concern about the \$750,000 expenditure for Public Works offices. She agreed that workers need a good place to work, but she also wanted reality into the planning document. It was questioned if the miscellaneous engineering and right-of-way cost of \$150,000 includes the Rasor Road West upgrade. She asked that the County adopt a written standard for bringing in roads into the county system. There seems to be a lot of dead end roads that go nowhere into the system and roads need to be maintained over time. She felt that the Grapeview Loop Road and Crestview Drive are underbudgeted.

Jerry Hauth, Public Works Director, responded that they should be fairly consistent with the fog striping but encouraged anyone to let Public Works know if they are not being consistent in their fog-striping program. There is about \$3.4 million in the Road budget for road maintenance, which will be adopted, later.

Mrs. Ibsen stated it is up to the Commissioners and it appears to be done on an individual basis when a road is accepted into the county system.

Mr. Hauth commented on the roads referenced coming into the County system were brought in as Title 16 (subdivisions). When the person came back in to redevelop the subdivision they brought the roads up to county standards and it is their option of consideration at the time of platting to dedicate it to the County after building it to the county standards.

The Board closed the public hearing.

Cmmr. Johnson/Kamin moved and seconded to adopt the 2003 Annual Construction Program as presented. Motion carried unanimously. B-aye; H-aye; J-aye. Resolution No. 174-02 (Exhibit Q)

PUBLIC HEARING - ADOPTION OF THE 2003-2008 6-YEAR TRANSPORTATION IMPROVEMENT PROGRAM.

The Board held a public hearing to consider adoption of the 2003-2008 6-Year Transportation Improvement Program. Jerry Hauth, Public Works Director, stated that the 6-Year TIP consists of projects, which were identified at some time back and have worked through the process. This plan was actively reviewed by the citizens advisory group. Two differences from when the group reviewed and approved it; it included the Belfair Bypass, which has been removed, and it did not include the office facilities for remodel. Thirty-one priority items were listed totaling \$43,808,000. The TIPCAP voted to approve the 6-Year Transportation Improvement Program as a whole. They conducted an open house for public outreach. The public involvement has gone on six to eight months.

The Cloquallum Road project or Rock Bluff Curve project has been on the plan for approximately nine years. The permitting is done and is ready to go as quickly as they can get the contract documents together for advertisement.

There was discussion that the first year of the Six-Year TIP and the Annual Construction Program are overlapped. The annual should be a more detailed list of what is included in the Six-Year TIP.

Constance Ibsen spoke representing herself and stated she would like to see the Old Olympic Highway on the Six Year TIP. She suggested removing the last item #31 Grapeview Loop Road and put the Old Olympic Highway to MP 256 on State Route 101. It was noted there is a place hold for Lynch Road 101 alternatives and it was asked if there are planning monies available for leverage with other groups to look at other areas. She asked if the TIPCAP could start working with more than just receiving with the Public Work staff brings forward. It was suggested they work on some more issues; larger public policy issues on transportation.

Ken VanBuskirk asked the Board to give consideration to putting the Belfair Bypass on the 6-Year TIP. The longer the County waits the more congested it will be and they need something for the future.

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Ron Henrickson, County Administrator, stated the Belfair Bypass has been a concern of the community for some time. With the formulation of the Belfair Planning Subcommittee and now the appointment of a consultant, Makers, to work with the committee over the next 10 - 11 months to come up with a total plan and vision for Belfair, which is, included within that the transportation issues. The Belfair Bypass has been suggested to the Committee to be included as a long-term project and then to address with the community, short-term answers with respect to how the transportation, safety, and community development issues will be addressed. Within the next 6 - 10 months that community will present a vision related to the transportation.

The Board closed the public hearing.

Cmmr. Kamin/Johnson moved and seconded to adopt the 2003-2008 6-Year Transportation Improvement Program as presented. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 175-02 (Exhibit R)

ADOPTION OF THE 2003 BUDGET

Ione Siegler, Budget & Finance Director, read aloud the proposed resolution for adoption of the 2003 budget.

The Board commented that last week they had the public hearing portion which was closed. The County is headed into times with increased costs and declining revenues. The County will have to do things that have not had to be done in the past. They will be looking for additional revenues and grants as well as be creative as possible.

It was noted there has been great cooperation in the county and they appreciate it.

Cmmr. Johnson/Kamin moved and seconded to adopt Resolution No. 176-02 for the 2003 budget as presented. Motion carried unanimously. B-aye; J-aye; K-aye. (Exhibit S)

ADJOURNED

The meeting adjourned at 11:00 a.m. due to no further business.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Wesley E. Johnson, Chairperson

ATTEST:

Herb Baze, Commissioner

Rebecca S. Rogers, Clerk of the Board

Jayni L. Kamin, Commissioner