

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

JANUARY 14, 2003

Acting Chairperson Wesley E. Johnson called the regular meeting to order at 9:00 a.m. Attendance: Cmmr. Dist. 3, Jayni Kamin. Absent: Dist. 1, Herb Baze

APPROVAL OF MINUTES: Cmmr. Kamin/Johnson moved and seconded to approve the meeting minutes dated December 2, 3, and 5, 2002. Motion carried unanimously. B-absent J-aye; K-aye.

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

- 6.2 Announcement that Public Works/ER&R have issued a purchase order in the amount of \$7,126 to Northwest Sales Group of Seattle for one new Rotary SP012 two-post vehicle lift including installation for the Central Shop. ER&R received authorization for this purchase in October 2002.
- 6.3 Announcement that four new Ford Crown Victoria patrol cars will be purchased from the Washington State vehicle Contract in the approximate amount of \$100,000 to replace existing cars in the Sheriff's Department. This was approved in the 2003 budget.

OPEN FORUM FOR CITIZEN INPUT

No public comment was received.

ADOPTION OF AGENDA

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

OTHER BUSINESS

- 11.1 Approval of the ordinance for an interim change to Title 15, last amended in Ordinance No. 179-02, to correct the authority of the Hearing Examiner consistent with the intent of the original adoption.

Bob Fink, Planning Manager, explained that they have found in trying to implement the Hearings Examiner program and adopting the language there needed to be more explicit authority for the Hearings Examiner to consider amendments to adopted plats. There are several cases currently in the process where minor amendments to the plats in the form of changes to utility easements are proposed. It was decided for the Hearings Examiner to be able to act on these issues there needed to be explicit authority to review preliminary plats and plats and issue approval.

There was suggested language changes to make more specific the authority of the Hearings Examiner by listing out the permits to be reviewed which are the Type III permits (quasi-judicial permits). This is the primary function of the hearing examiner.

Section 15.03.050 - There is a new section K which pulls out plat vacations or amendments. Section J was added for clarity and it elaborates on Section I (or other permit decisions when provided by the Development Code or other ordinances). The reason these changes are being handled as an interim amendment is there are applications in process. There are some applications, which could be heard, as soon as possible.

There was discussion that this is clarifying language stating specifically what the Hearings Examiner authority is rather than implied authority.

Cmmr. Kamin/Johnson moved and seconded to approve interim Ordinance No. 02-03, the proposed changes to Title 15, Section 15.03.050 to be effective immediately and effective until July 1, 2003. Motion carried unanimously. B-absent; J-aye; K-aye. Ordinance No. 02-03 (Exhibit A)

APPROVAL OF CONSENT AGENDA

The Board read aloud the following consent agenda items.

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- 9.1 Approval of Veterans Assistance Application for John Malick for utilities in the amount of \$161.72 and a food voucher for \$150.00 for a total of \$311.72; Mariana Ruiz for water (\$150.00) and electrical (\$250.00) utilities for a total amount of \$400.00; Charles Manning for rent in the amount of \$400.00; Thomas Roters, for utilities in the amount of \$360.80.
- 9.2 Approval of memorandum of Understanding and Membership Agreement for the WSAC Retrospective Rating Program.
- 9.3 Approval of interlocal Agreement KC-001-03 between Kitsap County and Mason County to provide residential moderate risk waste collection and disposal opportunities.
- 9.4 Approval of a change to interim ordinance 134-02, to allow additional buffering provisions for motor vehicle impound yards. **Resolution No. 03-03 (Exhibit B)**
- 9.5 Approval to call for bids for the construction of CRP 1471, Cloquallum Road (Rock Bluff) and CRP 1489. Bid opening to be Friday, February 14 2003 at 9:00 a.m. and the bid award announcement will be on Tuesday, February 18, 2003.
- 9.6 Approval of revised CRP 1471, Cloquallum Road (Rock Bluff - Milepost 11.75 to 12.47) to include the construction costs of \$940,000. **Resolution No. 04-03 (Exhibit C)**
- 9.7 Approval of CRP 1772 to replace two existing 36" culverts on Tahuya River Drive. **Resolution No. 05-03 (Exhibit D)**
- 9.8 Approval of corrected liquor license application: Applicants: Lake Limerick Country Club, Inc. Jack G. Betterley, Patricia J. Chaussee, William L. McDonald Jr., Tommy O. Taylor; From: Terrance & Elaine O'Hara dba Lake Limerick Pro Shop & Café; Tradename: Lake Limerick Country Club; Privileges Applied For: Beer/Wine Rest - Beer/Wine.
- 9.9 Approval of agreements for computer access to the IBM AS400 system with Land Title Company, First American Title Insurance Company and Mason County Title Company.
- 9.10 Approval of the Terrorism Incident Response Plan.
- 9.11 Approval of the amended Emergency Operations Plan.
- 9.12 Approval of the employment agreement with Barbara Levette as a grant writer for Mason County.

The Board asked Gary Yando to comment on Item 9.3, which is an agreement with Kitsap County for Mason County citizens to be able to utilize Kitsap County's facility for disposing of hazardous waste. The County pays Kitsap County a stipulated amount (\$120) for each customer that uses this service. The funding is provided through a coordinated prevention grant received from Department of Ecology. The County matches the grant with a 25% match. The \$120 per customer is down from the amount paid in 1999. This gives people in the North Mason area the option to not have to come to the main landfill site in Shelton.

The Board discussed Item 9.9 that there is a charge when the title company(ies) utilize the system. Dave Loser, ER&R Manager, noted that the charge is \$665 per year which gives the title company the ability to research title information.

Bob Fink, Planning Manager, commented that in reviewing Item 9.4 Motor Vehicle Impound Yard amendments prior to the meeting, in the proposed change item 2 it is not clear that the planning requirements are per 100 linear feet of the buffer. A slight modification was recommended for clarification. The other buffer requirements are

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clear, because of the ordinance they are mentioned in. Mr. Fink noted that he consulted with the City of Shelton in the review process. One of the reasons the interim amendments might be extended to July 1 is the City of Shelton's process to propose regulations for the urban growth area in Shelton will be delayed. They anticipate the soonest they will complete their review is in July. Mr. Fink suggested the interim amendment not be extended beyond that date. Subsequent to this and within 30 days the county will schedule a public hearing to give people an opportunity to comment.

In response to a question, Mr. Fink added the amendment retains the existing provision, which is now listed as one which requires a berm, a particular type of fence and a certain number of plants per 100 linear feet. It adds a provision two, which retains a 20' wide buffer. It is now a sight obscuring and security fencing on the inside of the buffer together with certain planting. The number of plantings has been increased over the previous buffer, but the requirement that there be a four foot high berm has been removed. The reason it was addressed was when they tried to apply the existing regulation to a particular piece of property they ran into issues regarding stormwater management. When they set up a berm there is potential effects on the stormwater regime and it is not advisable to provide an alternative. The second alternative is to provide a sight-obscuring fence, not necessarily a solid wood fence and more plantings than the previous buffer. The third option was for flexibility

The third option is to provide flexibility and provides for rather than detailing exactly what should be done as far as the number of type of plantings, the applicant can hire a landscape architect to come up with a plan to achieve the purposes of the screening.

A question was raised from the public about doing away with B1 berm, which addressed noise. They doubled the plantings. The sight-obscuring fence has double slats and can't see through it. It was questioned if they doubled plantings and visual barrier if they can go to a single slat standard chainlink fence rather than 100% visual barrier.

Mr. Fink responded, yes. The requirement was changed from an F4 fence, which is a solid wooden fence to allow use of material other than wood, but it had to be a solid fence, which couldn't be seen through.

Cmmr. Kamin/Johnson moved and seconded to approve the Consent Agenda Items 9.1 - 9.12 and as amended with 9.4 add the words "per 100 lineal feet of buffer" in paragraph 1.03.105 and in Section 2 the amendments will remain in effect until July 1, 2003 rather than March 31, 2003. Motion carried unanimously. B-absent; J-aye; K-aye.

PUBLIC HEARING - MEMORANDUM OF UNDERSTANDING WITH PUD NO. 1

Bob Fink, Planning Manager, explained that PUD #1 made a proposal to Mason County to assist with the provision of water and wastewater services for new development or for existing systems which are going into default. The proposal sets a cooperative arrangement for these purposes, but it does not appear to foreclose smaller projects from providing their own services nor the participation of other water purveyors, which are satellite management agencies from providing their services. The memorandum of understanding between Mason County and the Public Utility District No. 1 of Mason County with respect to the provision of water and wastewater systems and services in the rural areas of Mason County.

Mr. Fink noted some of the key elements in Section 2, Paragraph C which provides that when a developer would require a water system that the County would notify the PUD #1 and they would prepare a plan that would meet the needs of the development. The developer would not have to commit to use PUD #1 services. It would be an opportunity for PUD #1 to offer their services. Paragraph D there is a provision for Receivership. When there is a court ordered receivership a privately owned water system is not meeting its legal obligations and would go into court ordered receivership. This agreement would set up a cooperative process between the County and the PUD #1 to deal with the situation. The PUD#1 would offer to ultimately take over the system if that is the resolution to the situation.

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Dick Wilson, PUD #1 Manager, noted that Mr. Fink explained the Memorandum of Agreement. He felt that it is a win-win situation for the people of Mason County. It is a working relationship for Mason County and PUD #1 to provide the services.

Cmmr. Kamin/Johnson moved and seconded to approve the Memorandum of Understanding between the Public Utility District No. 1 of Mason County and Mason County with respect to the provision of water and wastewater systems and services in the rural areas of Mason County. Motion carried unanimously. B - absent; J-aye; K-aye.

ADJOURNED

The meeting adjourned at 11:05 a.m. due to no further business.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Absent 1/14/2003

Herb Baze, Chairperson

ATTEST:

Wesley E. Johnson, Commissioner

Rebecca S. Rogers, Clerk of the Board

Jayni L. Kamin, Commissioner