

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

MARCH 4, 2003

1. Call to Order - Chairperson Herb Baze called the regular meeting to order at 9:00 a.m. Attendance: Cmmr. Dist. 1, Herb Baze; Cmmr. Dist. 3, Jayni Kamin.
2. Pledge of Allegiance – Chairperson Herb Baze led the flag salute.
3. Roll Call - Attendance: Cmmr. Dist. 1, Herb Baze; Cmmr. Dist. 3, Jayni Kamin.
4. Approval of Minutes – Regular meeting minutes of January 28, 2003; Briefing minutes of February 10 and 24  
**Cmmr. Johnson/Kamin moved and seconded to approve the regular meeting minutes of January 28, and the briefing minutes of February 10 and 24. Motion carried unanimously. B -aye; J -aye; K -aye.**
5. Board's Calendar for week of March 4 – 11.
6. Correspondence and Organizational Business
  - 6.1 Correspondence – there was no correspondence submitted.
  - 6.2 Press Releases - Ron Henrickson, Administrator, presented a press release regarding a new initiative the County has started. There will now be a central contact person, Ben Ramsfield, who will monitor the progress of business permits and make sure the permit process is seamless and expedient. The County's goal is to make it easier for businesses to develop and expand in the County and enhance economic growth.

Bob Fink, Planning Manager, presented a press release stating Mason County is seeking applications from individuals interested in serving on the Planning Advisory Commission. Applications to serve on the board are being accepted through March 28, 2003.
7. Open Forum for Citizen Input – There were no comments.
8. Adoption of Agenda - **Cmmr. Kamin/Johnson moved and seconded to adopt the agenda as presented. Motion carried unanimously. B -aye; J -aye; K -aye.**
9. Approval of Consent Agenda: The Board read aloud the following items:
  - 9.1 Approval of Veterans Assistance Fund applications for Kathleen McFarlane -\$400.00 housing; Rodney L. Gorm - \$400.00 housing; and Pherris R Chapman - \$400.00 food for a total of \$1,200.00.
  - 9.2 Approval of Washington State Military Department Contract E03015 Amendment B.
  - 9.3 Approval of Claims Clearing Fund & Salary Clearing Fund Warrant Nos.

Claims Clearing Fund	51349-51967	\$710,826.27
Salary Clearing Fund -	127985-128233	\$193,336.32
  - 9.4 Approval of a resolution to amend CRP 1444, Haven Way, to include construction costs and authorization for the Chairperson to execute the construction plans. Resolution No. 22-03 (Exhibit A)
  - 9.5 Set a bid opening date on Friday, April 4, 2003 at 9:00 a.m. for CRP 1444-R, Haven Way. Bid award will be made on Tuesday, April 8<sup>th</sup>.
  - 9.6 Approval of CRP 1788, Skokomish Valley Road. This CRP is for bank stabilization along the Skokomish River at an estimated cost of \$60,000. Resolution No. 23-03 (Exhibit B)
  - 9.7 Approval of CRP 1787, Tahuya Blacksmith Road, for drainage improvement and sight distance improvement between milepost 1.00 and milepost 5.64. Resolution No. 24-03 (Exhibit C)
  - 9.8 Approval of the resolution amending Mason County Code, Chapter 2.02, Departments reporting to the Mason County Commissioners. Resolution No. 25-03 (Exhibit D)

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- 9.9 Schedule a public hearing on March 18, 2003 to hear comment on the adoption of interim regulations to allow additional buffering provisions for motor vehicle impound yards Ordinance #03-03.
- 9.10 Schedule a public hearing on March 18, 2003 to hear comment on the adoption of amendments to Title 15 to clarify the authority of the Hearing Examiner in Ordinance #02-03.
- 9.11 Approval of Grant No. G0300147 between the State of Washington Department of Ecology and Mason County for the Water Quality Assessment - WRIA 14 project.
- 9.12 Approval of Grant No. G0300126 between the State of Washington Department of Ecology and Mason County for the Water Quality Assessment - WRIA 16 project.
- 9.13 Approval of Interlocal Agreement, #HDC-989, between the Clark County Health Department and Mason County Department of Health Services.
- 9.14 Bid award to furnish Mason County with one new 2003 Cab and Chassis with service body for the Sign Shop.
- 9.15 Approval for the ER&R Manager to purchase a Cashier Module for the Tidemark Permit Software. This is a sole source procurement and the maximum cost is \$13,890.00 plus tax.

**Cmmr. Johnson/Kamin moved and seconded to approve Consent Agenda Items 9.1 through 9.15. Motion carried unanimously. B-aye; J-aye; K-aye.**

11.2 Approval of an ordinance enacting an interim measure as proposed by Department of Community Development to revise the Mason County Development Regulations Sec. 1.04.200 and Sec. 1.05.034 concerning administrative variances for side yard setbacks for development on parcels designated Rural Residential 10 and Rural Residential 20 in Mason County and set a hearing for Tuesday, April 22, 2003 at 6:30 p.m.

Allan Borden, Planning, presented a proposed ordinance to allow for an interim measure providing for administrative variance review for development proposed on rural residential designated lands in Mason County effective May 5, 2003. The Mason County Development Regulations adopted in March 2002 include a 20-foot side yard setback in the Rural Residential 10 (RR10) and Rural Residential 20 (RR20) designated lands of the county. This setback standard was set to place new development in the Rural Area away from roads and maintain the nature of low intensity development away from the urban and more intensely development areas of Mason County.

He explained that when new development, residences and their accessory buildings are proposed on small and narrow parcels that have been designated Rural Residential 10 or Rural Residential 20, the property owners are unable to site the proposed structures without first seeking a variance from the Development Regulations side yard setback standard.

The proposed revisions would establish the administrative variance review process in Rural areas, where the proposed side yard setback is constrained under certain circumstances.

Darren Nienaber, Deputy Prosecuting Attorney, asked what the rush was.

Mr. Borden stated he has been contacted by at least five people in the past month and this provides a quicker review process. The standard variance process, which is reviewed before the Commissioners, takes close to six weeks.

**Cmmr. Johnson/Kamin moved and seconded to approve the interim measure to revise the Mason County Development Regulations Sec. 1.04.200 and Sec. 1.05.034 concerning administrative variances for side yard setbacks for development on parcels designate Rural Residential 10 and Rural Residential 20 in Mason County; and move that a public hearing on this interim measure be set for Tuesday April 22, 2003 at 6:30 p.m. The interim measure would be in effect to the date of May 5, 2003 to provide adequate time for public review of these revisions by the Planning Advisory Commission and Board of County Commissioners. Motion carried unanimously. B-aye; J-aye; K-aye. Ordinance 18-03 (Exhibit E)**

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11.3 Approval of an interim amendment to the Mason County Resource Ordinance to amend the qualifications of geotechnical reports to incorporate changes in state law, 18.220 RCW, which provides for the licensing and regulation of geologist.

Bob Fink, Planning Manager, presented an ordinance for interim changes to the Mason County Resource Ordinance 77-93 with regard to landslide hazard areas. He also asked the Board to set a hearing on April 15, 2003 to consider this action. This interim amendment amends the qualifications of geotechnical reports to incorporate changes in state law, RCW 18.220, which provides for the licensing and regulation of a geologist.

The landslide hazard critical areas regulations in the Mason County Resource Ordinance require geological assessments and geotechnical reports be prepared when development occurs in or near a landslide hazard area. The assessment may be prepared by a qualified geologist or engineer, but the geotechnical reports may only be prepared by or under the supervision of a qualified engineer. Since July 1, 2002, persons offering geological services have been licensed by the state. The proposal updates the county ordinance to incorporate these changes. The change will provide that all geologists be licensed and that a qualified and licensed engineering geologist will prepare the geotechnical reports.

**Cmmr. Johnson/Kamin moved and seconded to approve the proposed changes to the Mason County Resource ordinance as an interim ordinance to be effective until September 4, 2003. Motion carried unanimously. B-aye; J-aye; K-aye. Ordinance No. 19-03 (Exhibit F)**

**Cmmr. Johnson/Kamin moved and seconded to set a public hearing on April 15, 2003 at 9:30 a.m. to consider this action. Motion carried unanimously. B-aye; J-aye; K-aye.**

10. 9:30 a.m. Public Hearings

10.1 Hearing to consider increasing the Beards Cove Water System monthly fee charges and implementation of a water system cross control connection program.

Gary Yando, Director of Utilities & Waste Mng., presented the staff report for the adjustment to the monthly water system fees at Beard's Cove for 2003, 2004 and 2005. The last increase was 10 years ago. The proposed water system connection fee is recommended to remain at \$800; the monthly water rate billing for a single-family dwelling is proposed at \$20 in 2003; \$24 in 2004 and \$27 in 2005. For vacant lots will remain at \$4.

Cmmr. Johnson understands that Mr. Yando has met with the Beard's Cove Homeowners Association.

Mr. Yando confirmed he has met with them and provided any information that was requested.

Cmmr. Kamin asked about the connection fee. She confirmed that even if a person is paying the \$4 for a vacant lot, they would still have to pay the \$800 connection fee.

Jean Moore asked what the population would be if it were totally built out.

Mr. Yando believes it would be around 1,400 people.

There was no other public testimony and Cmmr. Baze closed the public hearing.

**Cmmr. Kamin/Johnson moved and seconded to approve the recommendation of the Director of Utilities & Waste Management and implement the following fee structure for the Beard's Cove Water System: For lots with single-family residences, 2003 - \$20, 2004 - \$24, 2005 - \$27; for vacant lots, 2003, 2004, and 2005 the assessment remains at \$4 through the end of 2005, at which time it will be reevaluated. The connection fee will remain at \$800 through the end of 2005 at which time it will be reevaluated. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 20-03 (Exhibit G)**

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Mr. Yando presented the staff report regarding the cross-connection control program for the Beard's Cove Water System. The purpose of the cross connection control program (WAC 246-290-490) is to protect the health and water consumers and the potability of the public water system by the elimination and prevention of cross connections between the distribution system and other sources of water or liquids used for other purposes. He asked the Board to approve the Ordinance for the cross connection program for the Beards Cove Water System.

There was no public testimony and Cmmr. Baze closed the public hearing.

**Cmmr. Johnson/Kamin moved and seconded to approve the Beards Cove Cross-Connection Control Program, Ordinance No. 21-03, with an effective date of March 4, 2003. Motion carried unanimously. B-aye; J-aye; K-aye. (Exhibit H)**

11. Other Business (Department Heads and Elected Officials)

11.4 Continued from February 18, 2003, Bid award for CRP 1471, Cloquallum Rd (Rock Bluff) and CRP 1489, Elson Road. Staff: Jerry Hauth

Jerry Hauth, Public Works Director, asked the Board to reject the low bidder and the third low bidder and award the contract to Scarsella Bros, Inc. in the amount of \$776,776.76.

**Cmmr. Johnson/Kamin moved and seconded to reject the low bid from Northwest Rock, Inc. and the third low bid from Rognlin's Inc in light of the protest filed by Scarsella Bros., Inc and as provided for in Section 1-02.13 and 1.02-14 of the Standard Specifications. Further move the Board award the contract for CRP 1471, Cloquallum Road/CRP 1489, Elson Road, to Scarsella Bros., Inc. as their bid amount of \$776,776.72, and authorize the Board and/or Chairperson to sign all pertinent documentation. Motion carried unanimously. B-aye; J-aye; K-aye.**

11.1 Continued from February 18<sup>th</sup>. Approval of the Memorandum of Understanding with the Squaxin Island Tribe for the Community Contribution Fund.

Sheriff Whybark asked the Board to approve the MOU with the Squaxin Island Tribe for the Community Contribution Fund and the Special Commission Agreement between the Squaxin Island Tribe and Mason County Sheriff's office.

Kevin Lyon, Squaxin Tribe, introduced the Squaxin Tribal police officers. The funds come from the 2% Community Contribution Fund and will be approximately \$13,260 per quarter to be used by the Sheriff's Department to help fund a deputy.

Dave Lopeman, Chair of the Squaxin Island Tribal Counsel, stated they have been trying to come to this agreement for some time and he thanked the Board and the Tribal Counsel for making this happen.

Cmmr. Baze stated this is one more step to further the great relationship Mason County has with the Tribe. He expressed his thanks for the efforts that went into this.

Mr. Lyon presented a check in the amount of \$39,780 to Mason County.

**Cmmr. Kamin/Johnson moved and seconded to approve the Memorandum of Understanding between the Squaxin Island Tribe and Mason County Sheriff's Office. Motion carried unanimously. B-aye; J-aye; K-aye.**

Cmmr. Johnson added this appreciation for the cooperation of the Tribe.

12. Administration  
No business.

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13. Adjournment at 10:14 a.m. due to no further business.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

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Herb Baze, Chairperson

ATTEST:

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Wesley E. Johnson, Commissioner

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Rebecca S. Rogers, Clerk of the Board

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Jayni L. Kamin, Commissioner