

1 **BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**

2
3 **APRIL 15, 2003**

- 4
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6 1. Call to Order - The regular meeting was called to order at 9:02 a.m. by Chairperson Herb Baze.
7
8 2. Pledge of Allegiance - Chairperson Herb Baze led the flag salute.
9
10 3. Roll Call - Attendance: Cmmr. Dist. 1 Herb Baze; Cmmr. Dist. 2 Wesley E. Johnson; Cmmr. Dist. 3 Jayni
11 Kamin
12
13 4. Approval of Minutes – **Cmmr. Johnson/Baze moved and seconded to approve the regular meeting minutes**
14 **of April 8, 2003. Motion carried unanimously. J-aye; B-aye; K-aye.**
15
16 5. Board’s Calendar for the weeks of April 15 – May 6
17
18 6. Correspondence and Organizational Business
19 6.1 Correspondence
20 6.1.1 Future Fairgrounds Advisory Committee Applicants - Charles J. Speigle; Terri Jeffreys;
21 Janis Byrd
22 6.1.2 Board of Equalization Applicants - Donald Clark, David G. Wood
23
24 6.1.3 Thurston/Mason RSN Board Resignation - Bill Bruder
25
26 6.1.4 Copy of Timberland Regional Library's 2002 Annual Report
27
28 6.2 Timberland Regional Library Annual Report: Thelma Kruse
29 Ms. Peggy Meyer, Board of Trustee for Timberland Regional Library (TRL), and the Mason County representative,
30 informed the Board that Thelma Kruse is retiring. She wanted to publicly recognize Ms. Kruse for her dedication
31 and service as the Director of the TRL. Locally, Ms. Kruse expanded the amount of computers in the library and set
32 up the first self-check out station here in the Shelton library. With the cut backs in budgets Ms. Kruse has continued
33 to search for ways to save money and time. The self check-out station is working wonderful and is saving time and
34 money. Ms. Meyer stated that while the Director position is being advertised Tina Ruse will be the acting Director
35 until the position is filled. Ms. Meyer is available as a contact and presented the Board with her business card.
36
37 Ms. Thelma Kruse presented the Annual Report of the TRL to the Board. She is pleased to know that the
38 Commissioners use the libraries. Ms. Kruse stated that Mason, Thurston, Grays Harbor, Lewis and Pacific counties
39 are the five counties that make her district. Ms. Kruse, in her ten years of service, assisted with opening five new
40 libraries and remodeling six other buildings in the region and added state of the art information technology. Ms.
41 Kruse stated that during the last year the number of users have increased even though services have been cut back.
42
43 The Commissioners thanked Ms. Kruse for her service and dedication to the Mason County libraries.
44
45 7. Open Forum for Citizen Input
46 Mr. Harvey Warnaca stated his experience is always pleasant and the staff in the library is courteous and helpful.
47 He also expressed his concerns about the destruction of libraries and museums. Mr. Warnaca stated the community
48 needs to take care of and support our library system.
49
50 8. Adoption of Agenda - **Cmmr. Johnson/Kamin moved and seconded to approve the agenda with the**
51 **addition of an MOU-City of Shelton Emergency Operations Center to be added under Item 11. Motion**
52 **carried unanimously. J-aye; K-aye; B-aye.**
53
54 9. Approval of Consent Agenda: All items listed under the “Consent Agenda” are considered to be routine by the
55 Commission and will be enacted by one motion unless a Commissioner or citizen so requests, in which event
56 the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**MASON COUNTY COMMISSIONERS' MEETING
APRIL 15, 2003 – PAGE 2**

- 1
2 9.1 Approval of Claims Clearing Fund & Salary Clearing Fund Warrant Nos.
3 Claims Clearing Fund 53403-54039 \$622,941.65
4 9.2 Approval of Veterans Assistance Fund application for Anton M. Puget, Jr. - Utilities \$210.90; Charles
5 E. Bushnell - Burial \$300.00 = \$510.90
6 9.3 Concurrence of appointment of Dick Nichols on the Timberland Regional Library Board of Trustees
7 representing Thurston County.
8 9.4 Approval of consultant contract for water quality monitoring plan elements of Department of Ecology
9 water quality supplemental grants (WRIA 14-G0300147, WRIA 16-G0300126).
10 9.5 Approval of Washington State County Road Administration Board "Certification of Road Fund
11 Expenditures for Fish Passage Barrier Removal" for calendar year 2002.
12 9.6 Approval of CRP 1793, Evans Street (Co. Road No. 67700) **Resolution No. 44-03 (Exhibit A)**
13 9.7 Appoint Wendy Ervin to fill a vacant position on the Mason County Planning Commission
14 9.8 Appoint to the Mason County Water Conservancy Board, George Campbell, until July 23, 2005; and
15 Reese Hastings until July 23, 2007.
16 9.9 Approval of a memorandum of understanding between the City of Shelton and Mason County on joint
17 planning for the Shelton urban growth area.
18 9.10 Solicit letters of intent, statement of qualifications and proposals from qualified engineering consulting
19 firms to provide planning, engineering, design, materials, equipment, tools, supervision, travel and
20 related services for the Rustlewood Wastewater Treatment Facility.

21
22 Cmmr Baze presented items 9.1 to 9.3. Cmmr. Kamin presented items 9.4 to 9.8. Cmmr. Johnson presented 9.9 to
23 9.10.

24
25 **Cmmr. Kamin/Johnson moved and seconded to approve the consent agenda, items 9.1 through 9.10 as**
26 **presented. Motion carried unanimously. J-aye; K-aye; B-aye.**

27
28 10. 9:30 a.m. Public Hearings and Items Set for a Certain Time

- 29 10.1 Public hearing to consider interim ordinance #19-03 amending the Mason County Resource
30 Ordinance with regard to landslide hazard areas to provide that geological assessments and
31 geotechnical reports may be prepared by licensed geologists or engineering geologists, as
32 appropriate.

33 Bob Fink Planning Manager, informed the Board that before this interim ordinance was approved the only report
34 required to be done on a potential landslide hazardous area was by an engineer. The State recently started licensing
35 geologists and setting up several categories of geologists. Of the categories that were set up to be licensed, two of
36 them are geologist and engineering geologist. Because this was set up the County needed to amend its regulations to
37 recognize the profession and the licensing that was issued by the State to allow these geologists to perform their
38 work. The reason why this ordinance is only being done on an interim basis is because geologists in their normal
39 pursuit of activities were starting to submit project reviews to the County. Mr. Fink decided to set up an interim
40 ordinance to cover the geological reports rather than incur unnecessary costs and delays of the project to the
41 applicants. Mr. Fink informed the Board that the same issues are being addressed with the Planning Advisory
42 Commission for a public hearing on April 21st, 2003. This will be the process to adopt the ordinance permanently.
43 Mr. Fink presented the Board with the Findings of Facts for Ordinance Number 19-03.

44
45
46 Cmmr. Johnson asked Mr. Fink to identify significant factors that go with a qualified geologist, an engineering
47 geologist, and an engineer.

48
49 Mr. Fink stated that the engineer must have specific familiarity with the local conditions and if they lack that
50 knowledge, their report may be rejected. An Engineer Geologist focuses on the stability of the land. Engineers will
51 focus on the stability of the structures and stability of other changes to the slope when developed. The Geologist can

**MASON COUNTY COMMISSIONERS' MEETING
APRIL 15, 2003 – PAGE 3**

1 also report on the stability of the slope. There is distinction between the two professions, but for the basic report that
2 the ordinance requires, either party can do it.

3
4 Cmmr. Kamin asked Mr. Fink if property in landslide hazard areas is the sites that will need to have the geological
5 report.

6
7 Mr. Fink informed the Board that the landslide ordinance specifies specific criteria that determine what report will
8 be needed. The slope is looked at by past instability, water seepage, erosion of the slope, and many other factors
9 that determine if the property is considered a landslide hazard. This is the screening process that determines the
10 assessment for reporting purposes.

11
12 Cmmr. Kamin questioned who pays for the professional reporting fees.

13
14 Mr. Fink stated the applicant is responsible for the fees.

15
16 Cmmr. Johnson questioned Mr. Fink if there is a certain slope required to be tested for landslide hazardous
17 conditions.

18
19 Mr. Fink stated that if the slope is forty-five degrees and it has landslide hazard potential, there would be a need for
20 a professional opinion.

21
22 Mr. Hastings is the current Chair of the State Licensing Board and is here for another issue but willing to answer any
23 questions the Board may have regarding geologist and hazardous landslide issues.

24
25 **Cmmr. Johnson/Kamin moved and seconded to adopt the Findings of Facts to support the adoption of**
26 **interim ordinance #19-03. Motion carried unanimously. J-aye; K-aye; B-aye.**

27
28 10.2 Public hearing to consider a Substantial Development Permit for a private, multi-family use pier-
29 ramp-float structure on the south shore of the Hood Canal in the Pebble Cove Community.
30 Scott Longanecker Planner, presented Substantial Development Permit application no. SHR2003-00003. It appears
31 consistent with the Mason County Shoreline Master Program and he recommended approval with the following
32 conditions:

- 33 1. Residential developers and individuals shall be required to control erosion during
34 construction. Removal of vegetation shall be minimized and any areas disturbed should
35 be restored to prevent erosion and other environmental impacts.
- 36 2. The pier, ramp, float and associated moorings shall be located to avoid shading of
37 eelgrass and other aquatic vegetation. Construction activities shall be conducted so that
38 there is no disturbance of salt-tolerant vegetation.
- 39 3. Floation for the structure shall be entirely enclosed and contained to permanently
40 prevent the breakup or loss of the floatation material in the water.
- 41 4. Debris or deleterious material resulting from construction shall be removed from the
42 beach area and project site and shall not be allowed to enter waters of the State.
- 43 5. Water quality is not to be degraded to the detriment of the aquatic environment as a result
44 of this project.
- 45 6. Recreational piers shall be no higher than 11 feet above mean higher high water. Piers
46 and docks shall have at least an eight-foot span between pilings.
- 47 7. The surface of floating structures shall be a minimum of eight inches about the surface of
48 the water.
- 49 8. All floating structures shall include intermittent supports, to keep structures off the
50 tidelands at low tide.
- 51 9. All required permits shall be obtained from local, state and federal agencies prior to
52 construction.

**MASON COUNTY COMMISSIONERS' MEETING
APRIL 15, 2003 – PAGE 4**

- 1 10. The project shall be consistent with the Biological Evaluation and/or Habitat
2 Management Plan and Best Management Practices as conditioned and approved.
3 11. A community use agreement shall be developed and recorded on the property title prior
4 to permit issuance.
5 12. Construction shall be consistent with the submitted site and building plans as approved,
6 and the total length of the proposed project shall not extend waterward further than either
7 110 feet or minus 5tide, whichever is more landward.

8 Mr. Longanecker stated that the Skokomish Tribe and one interested person did submit letters to him regarding the
9 pier-ramp-float structure. The letter referred to cumulative impacts of multiple docks and bulkheads in the area, the
10 historic changes that have occurred along the Hood Canal shoreline and affects among near shore habitat used by
11 ESA listed salmon stock. Mr. Longanecker stated there are other similar pier-ramp-float structures immediately to
12 the east and west of the proposed pier-ramp-float. Mr. Longanecker stated the cumulative impacts may be partially
13 mitigated by the fact that this will be a community-use dock structure, and should be more beneficial than some of
14 the adjacent docks since it will provide for recreational use to a larger number of people.

15
16 There was no public comment.

17
18 The Commissioners agreed that each of the pier-ramp-floats are approved on their own merit and they feel this one
19 is a well thought out plan to involve a community rather than a single family.
20

21 **Cmmr. Johnson/Kamin moved and seconded to approve the Pebble Cove pier-ramp-float Substantial**
22 **Development Permit application no. SHR2003-00003 with the conditions listed and sign the Findings of Facts.**
23 **Motion carried unanimously. J-aye; K-aye; B-aye.**
24

25 9:45 a.m. Citizen Input - Ray Hanson asked the Commissioners how much time per week they spend on the
26 Growth Management Act (GMA).
27

28 Darren Nienaber, Deputy Prosecuting Attorney, stated that the Commissioners vary in the number of hours per
29 week. He stated that some weeks it could be an hour and other weeks it could be many hours.
30

31 Mr. Hanson stated he would like to see the Commissioners work weekly on GMA and continue to follow up on the
32 paperwork. He stated that he would like the Commissioners to call the Hearings Examiner weekly to put pressure
33 on them to complete the hearing. He stated the delay from the Hearings Examiner is terrible.
34

35 Cmmr. Baze stated that the last of the paperwork was submitted to the Hearings Board and the Commissioners are
36 awaiting the Hearing that is being held on May 7, 2003. Cmmr. Baze stated this has been in progress for 13 years
37 and he would like to see this be approved and move to the next stage.
38

39 Cmmr. Kamin stated the GMA is so comprehensive that just about all of the work the Commissioners do affects
40 growth management. She also stated that the goal of the Commission is to be compliant with the GMA.
41

42 Cmmr. Johnson stated that he is frustrated with the process. The paperwork was due in January, the Hearings
43 Examiner set the hearing in May and then the Hearings Board has 90 days to respond to the hearing. This means the
44 process began in January and will end in August.
45

46 Mr. Nienaber stated that he recently submitted three bills to the House of Representatives for review. He also stated
47 the GMA was adopted thirteen years ago. The first case that was filed in 1995, the second case was filed in 1996.
48 The County has been non-compliant for approximately eight years. The next hearing is scheduled for May 7, 2003.
49 He also stated that more than half of the Counties are out of compliance with this GMA.
50

51 11. Other Business (Department Heads and Elected Officials)

**MASON COUNTY COMMISSIONERS' MEETING
APRIL 15, 2003 – PAGE 5**

- 1 Cmmr. Baze presented the Memorandum of Agreement between Mason County and City of Shelton. He stated this
2 is to share the Emergency Operation Center. If our Center were down we would use theirs and vice versa.
3
4 **Cmmr. Johnson/Kamin moved and seconded to approve the Memorandum of Agreement between the City of**
5 **Shelton and Mason County. Motion carried unanimously. J-aye; K-aye; B-aye.**
6
7 12. Administration – No Business
8
9 13. Adjournment – The meeting was adjourned at 10:08 a.m.
10

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Herb Baze, Chairperson

ATTEST:

Wesley E. Johnson, Commissioner

Rebecca S. Rogers, Clerk of the Board

Jayni L. Kamin, Commissioner