

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

MAY 13, 2003

1. Call to Order – The meeting was called to order at 9:00 a.m.
2. Pledge of Allegiance – The flag salute was led by Chairperson Baze.
3. Roll Call – Attendance: Herb Baze, Cmmr. Dist. 1; Wesley E. Johnson, Cmmr. Dist. 2; Jayni Kamin, Cmmr. Dist. 3.
4. Approval of Minutes – **Cmmr. Kamin/Johnson moved and seconded to approve the regular meeting minutes of May 6, 2003 and briefing meeting minutes of May 5, 2003. Motion carried unanimously. B-aye; J-aye; K-aye.**
5. Board's Calendar for week of May 13 – May 20.
6. Correspondence and Organizational Business
 - 6.1 Correspondence
 - 6.1.1 Letters were received regarding proposed Amendments to the Development Regulations Ord. No. 82-96 Off-Street Parking Standards on rural Residential and Inholding Lands from: James Blauvelt; petition with 13 signatures; Edward R. Story; Louis Cofoni (addendum); Martin & Renae Zazueta (copies w/Cmmrs & Clerk); Bill Wells; and Mrs. Denise A. Tweed (Copies to Community Development/Planning)
 - 6.1.2 Charter Communications, formally Falcon Video, advised they have completed their rebuild within the first four years of agreement.
 - 6.1.3 Received notice of application for acquisition of land to be held in trust by the United States Dept. of the Interior Bureau of Indian Affairs for the benefit of Squaxin Island Indian Tribe.
 - 6.1.4 Washington State University thanked Mason County for the continued partnership with the US Dept of Agriculture and Washington State University to provide an extension program in Mason County.
 - 6.1.5 The State of Washington Department of Ecology has approved the expansion of the Mason County Water Conservancy Board from three members to five members.

7. Open Forum for Citizen Input

Renae Zazueta asked if the Board had a chance to read the documents in its entirety she submitted on Monday, May 12, 2003 concerning Agenda Item 10.1.

Cmmr. Johnson commented he reviewed the 84 pages of documents.

The Board noted they closed the public hearing portion on the matter and accepted written comments until 5 p.m. on Monday, May 12, 2003. They are no longer accepting comments on the hearing subject.

Bob Sieber stated he lives on Fireweed Road, which is a private gravel road with approximately 30 homes on it. First, he noted there is a lot of debris (appliances, couches, garbage, etc.) that the residents have been policing and taking to the dump, but then they have to pay the fee. There seems to be no provisions for relief. Also, they would like their private gravel road maintained by the County.

The Board responded they are trying to find ways to legally use abatement funds for cleaning up situations as he mentioned.

Deborah Lund questioned if the Board received the letter along with the petition that was mentioned in correspondence. It was circulated in 2002 regarding Ordinance 815 on off-street parking.

It was verified the Board did receive the document.

**MASON COUNTY COMMISSIONERS' PROCEEDINGS
MAY 13, 2003 – PAGE 2**

8. Adoption of Agenda – **Cmmr. Kamin/Johnson moved and seconded to adopt Consent Agenda as presented. Motion carried unanimously. B-aye; J-aye; K-aye.**
9. Approval of Consent Agenda:
 - 9.1 Approval of addendum and amendment to Interagency Agreement #IA-02-33-01-6 between the Department of Agriculture and Mason County Fairgrounds. The agreement was for roof repairs and the addendum amends the agreement to delete the match requirement and accepts the project as completed.
 - 9.2 Set a public hearing on Tuesday, June 17, 2003 at 9:30 a.m. to consider increasing the connection fees for the North Bay/Case Inlet Sewer System beginning July 1, 2003.
 - 9.3 Set a public hearing on Tuesday, May 27, 2003 at 6:30 p.m. to consider the proposed revisions to Mason County Development Regulations Sec. 1.04.200 and Sec. 1.05.034 concerning administrative variances for side yard setbacks for proposed development on parcels designated Rural Residential in Mason County.
 - 9.4 Set a public hearing on Tuesday, May 27, 2003 at 6:30 p.m. to consider the proposed revisions to boundary line adjustment standards contained in Mason County Development Regulations Sec. 1.03.032 Development Densities and sections of Title 16 Subdivisions and Plats.
 - 9.5 Approval of the resolution authorizing the closure of Haven Way from milepost 0.91 to milepost 2.30 for road improvements. The closure will be from 6:30 a.m. Wednesday, May 21 to 6:00 p.m. Friday, September 19, 2003. **Resolution No. 49-03 (Exhibit A)**
 - 9.6 Approval of Warrants

Claims Clearing Fund	55103-55256	\$ 386,734.10
Salary Clearing Fund	129892-130363	\$1,878,267.33
 - 9.7 Approval of Amendment C to Washington State Military Department Contract No. E03015. The overall contract amount from \$140,695 to \$136,344; a decrease of \$4,351.
 - 9.8 Approval of Veterans Assistance Fund Applications for: George W. Roberts – utilities \$119.03; Arthur J. Stephens – housing \$400.00; Mrs. John F. Coble – burial \$300.00; Mrs. Clarence Ward – burial \$300.00 for a total of \$1,119.03
 - 9.9 Approval of an ordinance to approve the final Mason County Comprehensive Open Space Maps as established in Ordinance 09-03, “Future Land Use – Open Space” dated February 11, 2003, one of the county as a whole and one of the North East portion of the county from Shelton to Belfair. **Ordinance No. 51-03 (Exhibit B)**
 - 9.10 Approval of Change Order #16 which replaces Construction Change Directive #5 for the Mason County Jail Expansion and Remodel Project. There is no additional dollar amount.
 - 9.11 Approval of Change Order #17 which replaces Construction Change Directive #6 for the Mason County Jail Expansion and Remodel Project. There is no additional dollar amount.
 - 9.12 Approval of Change Order #18 which replaces Construction Change Directive #3 for the Mason County Jail Expansion and Remodel Project. There is no additional dollar amount.
 - 9.13 Approval of Change Order #19 which replaces Construction Change Directive #4 for the Mason County Jail Expansion and Remodel Project. There is no additional dollar amount.
 - 9.14 Set a bid opening date of Friday, June 6, 2003, at 10:00 a.m. for the remodel of the lower floor of Building 8 for the Department of Public Works’ offices.

Cmmr. Johnson asked about Items 9.10 – 9.13 that mentions there is no additional dollar amounts on the change orders.

Mike Rutter, Facilities Manager, explained the construction change directive is where two parties cannot agree on a specific change in a project. Instead of stopping the work on the project, it keeps going on. Once the parties agree, by signature the construction change directive is changed to a Change Order. The dispute with the construction change directive was on time not money. The change orders reflect the dollar amount. Back in August the construction change directives were brought to the Commissioners' meetings

**MASON COUNTY COMMISSIONERS' PROCEEDINGS
MAY 13, 2003 – PAGE 3**

and then sent off to Granquist Construction. It has taken some time, but they have now been signed and are before the Board. The total project amount does not change.

Cmmr. Johnson asked to remove Item 9.9 Approval of an ordinance to approve the final Mason County Comprehensive Open Space Maps as established in Ordinance 09-03, "Future Land Use – Open Space" dated February 11, 2003, one of the county as a whole and one of the North East portion of the county from Shelton to Belfair.

Cmmr. Johnson/Kamin moved and seconded to approve the consent agenda, Items 9.1 through 9.14, with the exception of 9.9. Motion carried unanimously. B-aye; J-aye K-aye.

Item 9.9 - Allan Borden, Planning, asked that the board approve two maps, which were discussed during the Comprehensive Plan review in February 2003. The designated Open Space shown on the two maps are part of the Mason County Comprehensive Plan Section IV.6. Open Space which includes areas of privately or publicly owned lands which provide various benefits to the public and generally not built upon. They include agriculture resource land, long-term commercial forestland, and wetlands. In Ordinance No. 09-03 the County approved designating an open space corridor from Grapeview to Twanoh and additional corridors following and including the electrical transmission lines, railroad and gas lines from Shelton to Allyn.

He briefly explained there is a countywide map, which shows various open space areas. The tan areas are resource lands and critical areas. Which includes long term commercial forest, agriculture, streams, wetlands and steep slopes. Also included are the 200' wide corridors as recommended and a one-mile wide open space area between Grapeview on Case Inlet and Hood Canal towards Twanoh. The other map which you saw in draft form is an enlargement of the northeast portion of the Countywide map. It shows in detail the one-mile wide open space area, which was recommended and adopted in February; as well as the utility corridor.

The utility corridor width is the width of the easement and 200' on either side.

Cmmr. Johnson questioned if the red line is the easement from Shelton to Belfair.

Mr. Borden responded it is the gas line with the open space corridor adjacent to it. There is a power line with a 200' on either side and then the green line is the railroad.

Cmmr. Kamin asked if there are three specific corridors following the utilities.

Mr. Borden replied, yes, plus the mile-wide width.

Cmmr. Johnson asked the purpose of the one-mile width.

Mr. Borden stated it is an area where potential recreation oriented open space could take place like a trail that could eventually be developed. It is a lot easier for the county to secure money if they have areas that have been designated as open space. The funding agency may look at it positively as a mechanism to increase the chances that the project would be constructed. It separates the Allyn and Belfair UGAs from the Shelton UGA. One of the goals of the Growth Management Act is to designate areas of open space that separate UGAs.

Cmmr. Baze asked if they are areas designated as open space and nothing else can happen.

Mr. Borden stated the County does not take over any ownership. There are forest and agricultural activities that can take place by providing corridors. If future land divisions take place in areas adjacent then it

**MASON COUNTY COMMISSIONERS' PROCEEDINGS
MAY 13, 2003 – PAGE 4**

would be possible for those open space areas for future land divisions to be consolidated adjacent to the open space corridors so that it would maximize the effectiveness of the open space.

Cmmr. Baze asked if it is set in stone.

Deputy Prosecutor Darren Nienaber said that it is officially designated as a "corridor". He asked Mr. Borden when the next plan amendment is scheduled.

Mr. Borden stated the next comprehensive plan amendment is set for 2004 and 2005 so it could be amended during the process.

Cmmr. Kamin asked if there are homes within the open space area.

Mr. Borden concurred there are some homes in the open space area.

Cmmr. Baze questioned if the open space area does not preclude homes from being there.

Mr. Nienaber responded there can be homes in the open space area.

Cmmr. Baze asked what is not allowed in the open space area.

Mr. Borden replied, currently the area is either long term commercial forest or designated land for very low density (1:10 or 1:20) unless the lots already exist. There is little if any commercial development. It is either agriculture or timber management.

Deputy Prosecutor Darren Nienaber said that the main difference is the developer gets potentially twice the development rights if they protect open space on a designated open space corridor. The County is pursuing an incentive based program. This would allow the property owner to double the density, if the specific requirements were met.

Mr. Borden stressed that the maps are the same as reviewed on February 11, 2003 by the Board of County Commissioners. Some of the language which referred to "proposed" has been removed. It is the map adopted by Ordinance No. 09-03.

1Cmmr. Johnson asked if Ordinance 09-03 referenced the map.

Mr. Borden explained the Board adopted the policies that established what is illustrated on the map. The board saw the map as it was in draft form. This is the finalized version so it is clear to the state.

Cmmr. Kamin/Johnson moved and seconded to approve an ordinance for approval of the official Mason County Comprehensive plan maps "Future Land Use - Open Space" dated February 11, 2003, one of the county as a whole and one of the North East portion of the County from Shelton to Belfair. These maps replace the previous "Future Land Use - Open Space" map. Motion carried unanimously. B-aye; J-aye; K-aye. Ordinance No. 51-03 (Exhibit B)

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

- 10.1 Public hearing continued from April 22, 2003, public testimony portion is closed, written comments accepted until 5:00 p.m. May 12, 2003. Hearing is to review proposed off-street parking standards in Rural Residential zones and In-holding Lands in Mason County; the standards provide limits on the number of vehicles on parcels, provision for vehicles kept in buildings, and the definition of terms.

**MASON COUNTY COMMISSIONERS' PROCEEDINGS
MAY 13, 2003 – PAGE 5**

Allan Borden, Planner, stated that eight letters were received as noted in correspondence above. He mentioned the high points of discussion in the letters: James Blauvelt would like regulations adopted and is concerned about proliferation of vehicles in the southwest part of the County, Homer Adams Road, out in the Deckerville area; Cover letter to several pages of signatures on petition (Deborah Lund) were concerned about accumulation of vehicles in their neighborhood in the county and feel regulations would benefit from adoption of the ordinance; Louis Cofoni (5/8/03) has some concerns about the regulations but is in support of them, he feels the ordinance is a compromise but a solution towards the problem; Ed Story believes the county should be stronger in regulations and that vehicles should be licensed and insurance obtained on those vehicles and he believes that they will greatly reduce the junk yard problem and provide a needed income source for state and county governments; Mr. Story's second letter he included an article that appeared in the Tacoma News Tribune about Pierce County Council targeting junk vehicles with their ordinance. The Pierce County strategy looks at junk vehicles and is half way between the solid waste program and accounting for the number of vehicles on the property; Bill Wells is concerned about property rights and to allow uses as one chooses; people have various kinds of hobbies and fixing vehicles is one of those hobbies; vehicles are mobile by nature and not permanently attached and should not require building permits; Louis Cofoni (5/12/03) stated in Thurston County they pass laws regarding parking vehicles. He asked that the County add this language "The required front yard shall not be used for storage." As criteria number 10 in the new regulations; Mrs. Denise A. Tweed has concerns about dealing with regulations; the Health Department already has regulations that are effective; if they are published people would know about them; they potentially could come into compliance.

Cmmr. Kamin asked for clarification on what they are talking about is not enforcement of junk and hulk vehicles but about regulating the number of operable vehicles on a parcel.

Mr. Borden stated it addresses the ultimate number of vehicles on a parcel. They don't necessarily have to be operable.

Cmmr. Kamin also questioned if this alters or aids in the enforcement of the provisions already in place for junk and inoperable vehicles.

Mr. Borden responded that the proposal would work in conjunction with the current regulations. There are certain solid waste standards that have to be followed. In the past, when the Health Department has addressed accumulation of vehicles, people have taken advantage of screening the number of vehicles on property and it does not address the conflicting land use. Those vehicles are still there in whatever numbers. If there is a complaint issued and directed to the Health Department, they would respond and if there is any applicable standards that are not being followed within the Health Department they will resolve that with the property owner. There still could be a collection of 20 vehicles and they are all okay with the regulations of the Health Department but there are still 20 vehicles on the property and the land use issue is still there, a potential of contamination. There is also the tendency to operate businesses that are in conflict with the residential land use in the rural area and the County is trying to address that. By having vehicles in closed in structures they are out of view and being protected and their value being maintained. The potential for contamination is greatly reduced.

In response to Louis Cofoni, he may be addressing the 10 vehicles allowed on a property should not be in the front yard. Definitely structures would have to meet setbacks for whatever zone it is. They couldn't build a big building in front of their house unless they had adequate room to meet setbacks.

Cmmr. Kamin noted that a lot of the letters received were focusing on the issue of junk vehicles. She stated that it does not necessarily help in the enforcement of the junk and inoperable vehicles.

Darren Nienaber interjected that it does help considerably in the enforcement. He explained when a code enforcement officer goes out to enforce on sites that have 20 or 50 vehicles; with their binoculars they can't

**MASON COUNTY COMMISSIONERS' PROCEEDINGS
MAY 13, 2003 – PAGE 6**

tell if they are operable or what their status is. Often they don't have legal access to the land that there have been considerable complaints by neighbors regarding the aesthetic nuisance impacts, reduced property values. From the environmental health standpoint they can not tell if the vehicles are hulk vehicles, junk vehicles, or inoperable vehicles. Maybe they are too far away or there is a location that they can not be identified. This works in conjunction with the regulations by environmental health and treats vehicles in terms of zoning.

Cmmr. Johnson noted that the hearing on April 22, 2003 there were nine items included in the off-street parking regulations. Vehicles are identified in item #8. He stated there appears to be a change in item #8.

Allan Borden stated that Item #8 reads "vehicles in this section include, but are not limited to, cars, trucks, vans, buses, recreational vehicles, trailers, all-terrain vehicles, motorcycles, watercraft airplanes, tractors (except for farm equipment and implements that are used for on-going agricultural activities), and earthmoving, logging, or construction equipment . . ."

Chairperson Baze noted that there has been a lot of correspondence and ideas from people and this is not something that is easy for the commissioners to decide on. It is an issue that needs to be addressed in the County. For many years there has been an accumulation of vehicles in the County. It is time to take a stand and start addressing some of the problems.

Cmmr. Johnson commented that there is a great deal of interest in this issue on both sides. There was a deadline of 5 p.m. on Monday, May 12, 2003 for written comments. There were close to 100 pages of written comments since 5 p.m. and it didn't allow a lot of time for digesting. Because of the interest and the issue involved he suggested to allow additional time for consideration and continue for three weeks.

A comment was raised from the public that there seems to be a flaw that the County is writing an ordinance and by stating a travel trailer is not a permanent residence it is leaving out hundreds of people who live in the county and live permanently in a travel trailer and consider it their full time permanent residence. He questioned if the intent of the ordinance is meant to preclude a person who lives permanently in a recreational vehicle on their property.

Cmmr. Johnson/Kamin moved and seconded to continue the hearing to Tuesday, June 3, 2003 at 9:30 a.m. at which time the board will render a decision. Motion carried unanimously. B-aye J-aye K-aye.

11. Other Business (Department Heads and Elected Officials)

12. Administration - None

13. Adjournment - The meeting adjourned at 10:06 a.m.

**MASON COUNTY COMMISSIONERS' PROCEEDINGS
MAY 13, 2003 – PAGE 7**

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