

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

FEBRUARY 3, 2004

1. Call to Order – The meeting was called to order at 9:01 a.m. by Acting Chairperson Herb Baze.
2. Pledge of Allegiance – Cmmr. Baze led the flag salute.
3. Roll Call – Present: Herb Baze, Cmmr Dist. 1; Jayni L. Kamin, Cmmr. Dist. 3; Absent: Wesley E. Johnson, Cmmr. Dist. 2
4. Approval of Minutes – **Cmmr. Kamin/Baze moved and seconded to approve the regular meeting minutes of December 2, 2003 and January 20 and 27, 2004 and the special meeting minutes of December 1, 2003. Motion carried unanimously. B-aye; J-absent; K-aye.**
5. Board's Calendar for week of February 3 – 10, 2004.
6. Correspondence and Organizational Business
 - 6.1 Correspondence
 - 6.1.1 Resignation from Don R. Melnick on the Water Conservancy Board.
 - 6.1.2 Transportation Improvement Program-Citizens Advisory Program Board Applicants: Drew Noble; Harry Martin; Clifford L. Hall
 - 6.1.3 Jim Carr requested dog licensing in the County, specifically at Shorecrest.
 - 6.2 Jerry Hauth, Public Works Director, introduced Charles Butros who filled the position of Engineering Services Manager.
7. Open Forum for Citizen Input – Ken VanBuskirk referred to Consent Agenda item 9.3.

Deputy Prosecutor, Darren Nienaber, noted that Item 9.3 is setting of a date rather than discussion. The discussion should more appropriately be at the time of the public hearing on February 17, 2004. This would put the commissioners in an awkward position as they are acting in a quasi-judicial fashion. When they take testimony on a particular subject matter it should be at the time the hearing is held.

Mr. VanBuskirk explained that his comments were more regarding the procedure.

The Board responded they would hear his procedural comments.

Mr. VanBuskirk stated he spoke to the County a month ago regarding the process. There is concern that the rezone requests are not being heard in the order they are submitted. Also, some of the applicants did not pay a fee. He wanted to reiterate that rezone requests should be heard in the order received. Also, the fees for those rezone requests are quite different from \$0 -\$600. He asked the board to consider again this matter.

Cmmr. Baze responded that Mr. VanBuskirk's rezone request would be heard. The County is working on some things in the UGA boundary with regards to Belfair and Mr. VanBuskirk's request.

County Administrator Ron Henrickson spoke to the issue of the fees. He stated that the rezone requests were submitted over a different period of time. There was a time when there was no fee and then regulations were set up for a fee. Those people who submitted requests earlier are entitled to the rules in place at that time.

8. Adoption of Agenda – **Cmmr. Kamin/Baze moved and seconded to adopt the agenda with one change on Item 9.3 that the rezone requests are for Donald Huson, Michael Huson, Clifford Rice, and Paradise View Heights LLC. Motion carried unanimously. B-aye; J-absent; K-aye.**

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9. Approval of Consent Agenda:

- 9.1 Approval of Warrants
Claims Clearing Fund 67220-67418 \$171,692.24
- 9.2 Approval of Veterans Assistance Fund applications for Robert K. Arvine - utilities \$395.74; Russell L. Hoan - housing \$400.00; Sidney Hayes - housing \$400.00; Kenneth M. Allyn - housing \$400.00; Randy D. Wimbley - housing \$400.00 for a total of \$1995.74
- 9.3 Set public hearing time on February 17, 2004 at 9:30 a.m. to review four requests to rezone properties in the Rural Area of Mason County; the rezone requests are from Donald Huson, Michael Huson, Clifford Rice, and Paradise View Heights LLC.
- 9.4 Approval of Amendment #3 to the contract with Mason Matters in the amount of \$25,000 which extends the contract for the period of January 1, 2004 through December 31, 2004.
- 9.5 Approval of the resolution for the transfer of properties between the County Road Fund and the County Current Expense Fund. This transaction involves the transfer of the lower level of Mason County Building #8 to the County Road Fund. In consideration, the County Road Fund will transfer the ownership of Mason County Building #5 and the adjacent lot to the Current Expense Fund along with an additional amount of \$157,015. **Resolution No. 07-04 (Exhibit A)**

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

RECESS

The Board recessed at 9:16 a.m. until the public hearing at 9:30 a.m.

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

- 10.1 Public hearing to consider adopting WAC 173-350 into Mason County Title 6 Sanitary Code, incorporate the Solid Waste Enforcement Policy and the Solid Waste and Biosolids Facilities Regulation into Title 6, and incorporate proposed new text, including abatement regulations and addition of a Contaminated Properties Chapter.

Debbie Riley, Environmental Health Manager, introduced Rose Swier, Solid Waste Program. She thanked Rose Swier and Darren Nienaber, Deputy Prosecutor, for the countless hours they put in on the document to pull all of the solid-waste regulations State and local, and incorporate them into Mason County Code Title 6, to have one concise easily understandable document for use.

Rose Swier explained Environmental Health is presenting a number of amendments and new sections to the Solid Waste and Contaminated Properties regulations. The amendments will make it easier to enforce against illegal junk and illegal junkyards and contaminate properties. The County has been consistently supportive in making it tougher to illegally dump, to maintain a junkyard, and to contaminate properties. The changes are being proposed because of the statewide deadline to adopt a new WAC regarding solid waste. It is anticipated that more changes will be coming forward in the future. One problem they have faced is that property owners have claimed someone else dumped the junk on their land and don't want to take responsibility. The regulations are making it clear that the owner is responsible.

Cmmr. Baze asked how much paper this has eliminated. Will the new regulation consolidate having to go back and forth between many documents.

Rose Swier responded, yes it will make it into one document.

Ray Hansen pointed out a typographical error in the cover sheet document where "test" should be "text".

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Debbie Riley read aloud the proposed ordinance for consideration for adoption.

Cmmr. Kamin/Baze moved and seconded to approve Ordinance No. 8-04 to adopt Washington Administrative Code (WAC) 173-350 into Mason County Title 6 Sanitary Code, incorporate the Solid Waste Enforcement Policy and the Solid Waste & Biosolids Facilities Regulation into Title 6, and incorporate proposed new text, including abatement regulations and addition of a contaminated Properties Chapter. Motion carried unanimously. B-aye; J-absent; K-aye. Ordinance No. 8-04 (Exhibit B)

11. Other Business (Department Heads and Elected Officials) - None

12. Administration - None

13. Adjournment - The meeting adjourned at 9:42 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Absent 2/3/04

Wesley E. Johnson, Chairperson

ATTEST:

Jayni L. Kamin, Commissioner

Rebecca S. Rogers, Clerk of the Board

Herb Baze, Commissioner