

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

MARCH 2, 2004

1. Call to Order – The meeting was called to order at 9:00 a.m. by Chairperson Wesley E. Johnson.
2. Pledge of Allegiance – The flag salute was led by Chairperson Johnson.
3. Roll Call – Present: Herb Baze, Cmmr. Dist. 1; Wesley E. Johnson, Cmmr. Dist. 2; Jayni L. Kamin, Cmmr. Dist. 3.
4. Approval of Minutes – regular meeting minutes of February 17, 2004. **Cmmr. Kamin/Baze moved and seconded to approve the regular meeting minutes of February 17, 2004. Motion carried unanimously. B-aye; J-aye; K-aye.**
5. Board's Calendar for week of March 2 – 9, 2004.
6. Correspondence and Organizational Business
 - 6.1 Correspondence
 - 6.1.1 Letters urging the Board to adopt the proposed sign ordinance drafted by the Belfair Sub-Area Planning Committee were received from: Custom Aire, Paul & Cherul Garrison and Jenny Crichton.
 - 6.1.2 Applications seeking appointment to the Mason County Civil Service Commission were received from: Donald R. Stacy, Terry Lawrence, and Eileen C. Sterba.
 - 6.2 Press Release – 2003 Storm Damage.

Jerry Hauth, Public Works Director read aloud the press release concerning the county road storm repairs due to the October 20, 2003 event. It was noted that Tahuya River Road is still closed. The Board thanked the Public Works Director for pursuing assistance funding.
7. Open Forum for Citizen Input - No public comment.
8. Adoption of Agenda – **Cmmr. Baze/Kamin moved and seconded to adopt the agenda as presented. Motion carried unanimously. B-aye; J-aye; K-aye.**
9. Approval of Consent Agenda:
 - 9.1 Approval to make appointments to the Mason County Noxious Weed Control Board. The proposal is to appoint Gerald Lester, Willa Smith, Paul Hunter, Mark Nelson and Clareda Deskins.
 - 9.2 Approval of CRP's 1806 – 1820 for application of Bituminous Surface Treatment on all or portions of 15 of Mason County roads. **Resolution No. 12-04 (Exhibit A)**
 - 9.3 Approval of CRP 1821, Agate Road, for Mason County's participation in the approximate amount of \$15,000. This is a South Puget Sound Salmon Enhancement Project for the installation of a large concrete box culvert over Mallaney Creek. **Resolution No. 13-04 (Exhibit B)**
 - 9.4 Approval of CRP 1822, Matlock Brady Road/Schafer Park Road for intersection improvement. The estimated cost is \$24,000. **Resolution No. 14-04 (Exhibit C)**
 - 9.5 Approval of CRP 1823, Eich Road, for Mason County's participation in the approximate amount of \$10,000. This is a fish passage enhancement project with the South /Puget Sound Salmon Enhancement Group for the installation of a concrete bridge over Skookum Creek. **Resolution No. 15-04 (Exhibit D)**
 - 9.6 Approval to enter into a Cooperative Inter-Governmental Agreement with Mason County Transportation Authority to allow them to use Mason County's Small Works Roster.
 - 9.7 Approval of the Reimbursable Agreement with the Mason County Transportation Authority for the snow removal of the Mason County Transportation Authority's access and parking areas at 790 E Johns Prairie Road.
 - 9.8 Approval of the resolution closing Clifton Lane on Saturday, August 14, 2004 from 6:30 a.m. to 9:00 p.m. for the "Taste of Hood Canal" event. **Resolution No. 16-04 (Exhibit E)**

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 2**

- 9.9 Approval of Warrants
Claims Clearing Fund 68359-68543 \$268,864.22
- 9.10 Approval of Veterans Assistance Fund applications for: Gill (Mrs. Mariana) Ruiz, Sr. - utilities \$463.75 and Jason A. Buffington - utilities \$395.15 for a total of \$858.90.
- 9.11 Approval of the agreement with Western Industrial Inc. for coating the Beards Cove Water Storage Tank for the amount of \$88,751.85.
- 9.12 Approval of the extension of the Metal Hauling and Recycling Agreement with Mason County Salvage for an additional two years. Mason County Salvage agrees to haul and recycle the metals at the original bid price of \$0.02 per pound and \$7.00 per refrigeration unit.
- 9.13 Interlocal agreement between Clark County Health Department and Mason County Department of Health Services to provide the Region VI AIDS Intervention services. The term of this contract is from January 1, 2004 through December 31, 2004 for the amount of \$51,914.
- 9.14 Approval of the annual park attendant contract for Union Park between Mason County and Karen Visser and for Foothills Park between Mason County and Lawrence Myers.
- 9.15 Approval of the MCRA Storage Rental Agreement with Mason County Youth Baseball Association (MCYBBA) in the amount of \$1,658.88 per year. The County will provide 576 square feet of storage to MCYBBA at the Mason County Recreation Area.
- 9.16 Approval of an employment agreement with Barbara Levette as a part-time grant writer in an amount not to exceed \$7,500 for 2004.
- 9.17 Approval of the special occasion liquor license for Faith in Action West Sound: Date: March 6, 2004; Time: 6 p.m. – 11 p.m.; Place: Victor Improvement Club – 51 E Victor Road, Belfair.

Chairperson Johnson noted that agenda item 9.1 is for appointment of members to the Noxious Weed Control Board. This is a board, which has been re-activated, and soon will be commencing business after several years since the last board operated.

Cmmr. Kamin/Baze moved and seconded to approve the consent agenda items 9.1 through 9.17 as read. Motion carried unanimously. B-aye; J-aye; K-aye.

RECESS

The board recessed for seven minutes until 9:30 a.m.

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

- 10.1 Public hearing to consider speed limit changes on certain County Maintained Roads.

Jerry Hauth, Public Works Director, stated that the hearing is to consider speed limit changes on 19 roads, which are currently non-posted, with the exception of Ford Road that currently is posted at 25 mph.

Ford, Stoner, Hulbert Road West, Bulb Farm, Delanty, Manor, Kelly, Vic King, Fagergren, Harrier, Johns, Arcadia Shores, Gosnell Lane, Scarlet, Franjo Beach, Schneider, Strong, Eagle Creek, and Tee Lake.

Cmmr. Johnson noted that many of the roads are short distances and the speed is 20 or 25 mph. He questioned if there is criteria to determine the recommended speed.

Mr. Hauth responded they have a traffic technician and engineer go out and drive to check the geometry. They have a mechanism called a ball bank, which has to do with lateral loads, g-forces to determine what is a comfortable travelling speed. A number of roads, which are a quarter mile long, are generally at 20 mph.

No public testimony was provided. The board closed the public hearing.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 3**

Cmmr. Kamin/Baze moved and seconded to execute the resolution establishing speed limit changes on the above listed roads, as submitted. Motion carried unanimously. B-aye; J-aye; K-aye. Resolution No. 17-04 (Exhibit F)

- 10.2 Public hearing to review four requests to rezone properties in the Rural Area of Mason County; the rezone requests are from Potlatch Partners, Marilyn Davison and L. Peste Trust, Merrill and Ring, and Ken Van Buskirk.

10.2.1 - Potlatch Partners - Rezone Request No. 02-05

Alan Borden, Planner, presented the staff report noting the request is to consider rezone of three parcels over 6.25 acres from RR5 to RC2 (Rural Commercial 2) within the Potlatch Hamlet. All the parcels have direct access to US Highway 101. RC2 and RR5 parcels lie to the south, east and north. The staff report concludes that one parcel is approved for the requested rezone and the other two parcels be denied. The Planning Advisory Commission recommended approval of three parcels from RR5 to RC2.

Cmmr. Baze questioned why the staff did not recommend approval for the other two parcels in light of the proximity to other commercial properties and the depths of the lots. Is the depth of a lot practical for residential habitation in these areas.

Mr. Borden stated their interpretation is very narrow. There needs to be justification for a change in zone designation. The lots are only 200' deep and it may be hard to find a quiet spot for a residence.

Cmmr. Kamin asked if it that would be more reason to be designated commercial rather than residential.

Mr. Borden replied they don't know what commercial development is planned; retail, auto part shop, or laundromat.

Chairperson Johnson asked if at such time as a commercial development might be interested in locating the decision would be made whether it fulfills the requirements of RC2 designation for that particular type of business.

Mr. Borden stated that is correct.

Tim Sheldon explained that Potlatch Partners is a Washington partnership of he and his siblings, Tom Sheldon and Toni Sheldon. He acknowledge that staff has the opinion that criteria 2 and 7 are not met but did not feel they gave a reason for this decision. They do have plans for the property.

He noted that the Planning Advisory Commission had a unanimous recommendation for approval.

Mr. Sheldon stated he has long felt that a 200' wide strip of land between a busy highway and gravel pit is not appropriate for residential use. He believed the lots were mistyped from the beginning.

Chairperson Johnson felt the record is complete in terms of the history. They have a built environment in the area.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 4**

Deputy Prosecutor Darren Nienaber asked what is across the street from the three parcels.

Mr. Sheldon responded it is commercial property. There was a well that was used by Potlatch Water Company and it was removed a couple months ago. It is designated commercial across the highway. There is also a secondhand store, which used to be a Post Office and a beauty shop. To the south used to be a service station starting in 1947, Duane's Chevron and now is still an auto repair and a car wash. To the north is Mike's Dive shop and Cushman Boats both has been there for a long time. Mike's Dive shop used to be a bakery and Cushman Boats was a Union 76 distribution center for petroleum products in the Peninsula.

Willie Pearson PUD #1 stated that they own a business just south of the property owned by Potlatch Properties. They just recently acquired property on the east side of the property (formerly known as the Women's Club) They have an interest in expanding in time. This would be of benefit to the community if the property were zoned commercial. If they had an opportunity to acquire property they would be able to expand and have more room for their equipment. Being zoned residential as it is currently they would not be able to expand. They see need to have more room and would be interested in acquiring.

The Board closed the public hearing on this item.

Cmmr. Baze stressed that he felt this proposal meets the commercial designation. It is a commercial area and the lot does not appear to be deep enough to put residential housing in that proximity to the highway with the speed limit.

Cmmr. Johnson concurred that the three tracts involved are so similar as far as location and potential uses that he has trouble separating one from the other in terms of segregation with respect to approval or non-approval.

Darren Nienaber asked the Board if they had all the materials before the Planning Advisory Commission and has read their discussion in the minutes.

The Board responded, they have.

Cmmr. Kamin also felt this is an appropriate use of the property. It does fit within the Growth Management Plan. Also, she appreciated from reading the discussions that the Planning Advisory Commission did hold on this.

Cmmr. Baze/Kamin moved and seconded the Board of County Commissioners adopt the recommendation of the Planning Advisory Commission on rezone request No. 02-05 Potlatch Partners and adopt a motion to approve the request for parcel numbers 42223-34-00000, 42223-43-00000, 42223-43-00001 to rezone from Rural Residential 5 to Rural Commercial 2, based on the finding that the Rural Commercial 2 zone meets the rezone criteria. Also, move the chair sign the Findings of Fact for this decision. Motion carried unanimously. B-aye; J-aye; K-aye.

10.2.2 Marlene Davison/L. Peste Trust - Rezone Request No. 02-07 A

Mr. Borden presented the staff report. The application consists of three requests. The first request is to rezone 39.53 acres parcel from RR20 to RR5. The parcel is located 1/4 to 1/2 mile northeast of Shelton UGA and has a BPA transmission line cutting diagonally through it. It is a half-mile south of McEwan Prairie Road. The surrounding parcels are RR20 to the north, east and south. There is a large RR5 parcel to the west. In the staff review new information was contained in the

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 5**

application to show justification like a change in the area or increase in demand to merit this request. The parcel is surrounded on three sides by RR20 parcels. The consistent designation is RR20 and not RR5. The Planning Advisory Commission (PAC) recommended that the Board deny the request for parcel number 32004-12-00000 rezone from RR20 to RR5 and the Planning Staff concurred with the PAC recommendation.

Marlene Davison/L. Peste Trust - Rezone Request No. 02-07 B

Mr. Borden noted this is a request to rezone two parcels totaling 556.6 acres to be rezoned from RR20 to RR5. These parcels are located northwest of the Lake Limerick subdivision and south of the Sunnywood Development. Shetland Drive extends as a private road through the middle of the subject parcels as it heads north from Lake Limerick to Sunnywood. Wetlands and associated streams occur on the subject parcels. Surrounding parcels are RR20 on the east, west and south and RR5 to the north and southeast in the Lake Limerick subdivision. The staff report notes that the request contains no information about a demand for more residential lots or changes in the area to support the requested rezone. The RR20 zone is the most consistent designation. The rezone to RR5 would not allow clustering of new lots. The Planning Advisory Commission's revised recommendation was for approval of RR20 to RR10. The Planning staff, however, does not concur with PAC recommendation of redesignation from RR 20 to RR 10 and recommended denial.

Chairperson Johnson asked what is the nature of the RR20 to the south. Questioned if it is a conservation area land use.

Mr. Borden responded both of the properties, Cranberry Lake is owned by a foundation and a portion of the water bodies are considered natural shoreline designation from the Shoreline Master Program designation.

Cmmr. Kamin asked if the property has been platted.

Mr. Borden stated there was an application in 1997, but it was not platted. The county was not processing subdivision requests at that time.

Marlene Davison/L. Peste Trust - Rezone Request No. 02-07C

Mr. Borden noted that Parcel A is near Shelton; Parcel B is near Lake Limerick and Parcel C near Spencer Lake. It is located south of State Route 3 and just north of Spencer Lake. There are two parcels 80 acres and 81.63 acres. The area is designated RR10 and it is requested to rezone them to RR5. Most of the parcels are 40 acres or larger in size. There is no direct access to Spencer Lake Road to the South or SR 3 to the North. There are wetlands and streams, which occur in each of the subject parcels. The presence of large parcels surrounding and the existing critical areas the RR10 is the most consistent zone designation.

The Planning Advisory Commission recommended denial and the Planning Staff concurred with the PAC recommendation of denial.

Chairperson. Johnson questioned if Parcel A is surrounded on the north, west and south by RR10; also, if on the east it is surrounded by RR5. For Parcel B it is surrounded on all sides by RR10.

Mr. Borden concurred that is correct.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 6**

Don Taylor, Attorney with Fristoe, Taylor & Schultz stated he is present with his senior partner, Bob Fristoe, Ken Martig and Dan Holman. At the Planning Advisory Commission they talked about Parcel B which he has always referred to as Section 21 parcel. They did not talk about Parcel A or C.

He wanted to address the comments regarding the Section 21 property, which is owned by Marlene Davison and L. Peste Trust and is approximately 500 acres. He submitted a detailed map of the area. Property to the southeast is Lake Limerick which is a high density tract. The northern part of Parcel B is Sunnywoods Development, which appears to have been a 5-acre plat. Density has increased substantially by short plats and boundary line adjustments and other tools that were available for increasing use of property that maybe could not be used as easily as they once were in the county. The property historically was unzoned for a number of years until the Growth Management Act.

In 1996 Dan Holman submitted to the Planning Advisory Commission a 5-acre plat for one residential unit per five acres. Because of the moratorium it was received by the County, but was not acted upon. When everything settled, the Section 21 property was designated RR20. His clients claimed they never had notice of the RR20 designation. They are presently asking redesignation to RR5. They really feel that one residential unit to 5 acres is a better designation, because of the density on the southeast part of the property and the density to the north. There is a power line that services Sunnywoods, which runs along Shetland Road from the Lake Limerick area. The road could be described as a road, trail or an obstacle course. It leaves much to be desired.

The planning process, if there is a suitable zoning to make people wish to develop their property serves to solve a number of problems. One is the people to the north and access to the property over could be a trail or road with no definite boundaries. I feel this is an opportunity for all of us. This is an opportunity for the county to provide a service and an access through its governmental regulations of platting and development. There are citizens in Mason County who are in need of a form of access to their property and to provide an incentive to develop their property in an appropriate manner. And to make a delightful development which would attract people to purchase and live in the area and provide a decent access for others. He stated there is a need for this redesignation which would allow a decent access. This is the vehicle which will serve the County and clients in the development of the property. Out of 556 acres at 1 for 20 there are 24-25 homes. That does not encourage anyone to develop. In one residential unit to 10 acres there would be 56 homes which would be marginal. If the designation were 1 to 5 there would be 111 homes which is an incentive. He asked that the board approve a RR5.

Cmmr. Baze asked if the road which connects to the southern part of Teste property on Section 21 is private or public.

Mr. Taylor responded he hasn't seen the actual dedication. In the absence of other information he is assuming it is private and open to the public. It is paved all the way to their property.

Cmmr. Johnson asked if they are aware of the opportunities under the RR 20 for cluster development. The same is true for RR 10, but it does not apply to RR 5.

Mr. Taylor stated yes he was aware it does not apply to RR5 and it does apply to RR10.

Cmmr. Johnson the opportunity exists for the county to provide better services to the property to the north.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 7**

Mr. Taylor commented that anything the County does to require the improvement of the trail road called Shannon Drive is providing of services to Sunny Woods. 1) The people have a decent access; 2) emergency vehicles (police, ambulance, fire) will have a decent access to get up there.

Cmmr Kamin asked if that is the only access to Sunny Woods development.

Mr. Taylor replied, yes, that is his understanding.

Deputy Prosecutor Darren Nienaber asked if Mr. Taylor looked at the Comprehensive Plan. Also, he asked if he is 521.

Mr. Taylor responded, yes.

Mr. Nienaber asked if he saw under the RR5 acre category the criteria says single family plats with an established pattern of lots five acres or smaller generally built out.

Mr. Taylor commented it appears the five-acre plats are already built out around them.

Mr. Nienaber stated the criterion applies to the subject parcel.

Mr. Taylor stated he sees zoning and the whole planning matter as what will they do with the future. They are taking a situation where they currently are. They are trying to get to the point to where they can do what should be done.

Mr. Nienaber asked what are the current lot sizes on their parcel.

Mr. Taylor stated there are two parcels with two designations. The divisions, which exist, are the original government subdivisions of sections, quarter sections, township and range. He is not aware of any residents out there.

Ken Martig, Martig Engineering, wanted to impress that engineering is a science and a process. He is a licensed and civil engineer with specialty in environmental engineering, hydrology, hydraulics, and soil mechanics. As an engineer he works with surveyors, planners, counties, cities and the state to put together a team effort package of infrastructure and dwellings. In this particular case, they ended up having their particular property Zone 1 dwelling per 20 acres. It was a process done with certain growth management goals in mind and not a science.

As Mr. Taylor testified, when they are doing planning they are trying to look into the future as to how best to use property and establish some guidelines so they can get there. The history of the particular area is they have Lake Limerick to the southeast. He has been their engineer for environmental issues for a couple of decades. He worked with Kenny Frank and Bob Kimbell when the property in Cranberry Lake was used as a detention facility to mitigate floods through Lake Limerick. He has been engineering in the area for a couple of decades. He knows how the densities are and the problems overcome in Lake Limerick. He doubts if they would have Sunnywoods as it exists now because there is no public road. There is a higher than 1 dwelling per 5 acres at Lake Limerick; there is a higher than 1 per 5 at Sunnywoods. They are asking for a 1 dwelling per 5 acres in between the two higher densities. There is a long spur road trail that needs to be improved. The economics of getting that improved are substantial. In order to do that they need a threshold economic base. The one dwelling per 5 acres provides that base. As an engineer he is not concerned about the designation. There are critical area ordinances and criteria which guides engineers and surveyors to be able to do something other than put out postage stamp development. They can provide a sound environmentally engineered community between the

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 8**

higher density existing developments, if they are allowed the designation of 1 dwelling per 5 acres.

He referred to the December 15 Planning Advisory Commission meeting minutes quoting Bob Fink on page 12. ". . . you can make an assumption that generally it is better for development to go in areas that are already developed in rural areas and those that are near the roads." He commented when a lot of Mason County is designated one building per 20 acres it was done without the opportunity to look at all the isolated pieces. It was too big of job. The goals to be met by Growth Management made it impossible for each and every one of the sections to be evaluated separately. Now they have the opportunity to look at a smaller parcel and how it might be justified.

He referred to the Martig Engineering report of October 31, 2003 where he did the best he could to go through and look at the criteria for RU521 and the justification issue. He believed when you look at Section 21 there is justification which is the road, the whole area was one dwelling per 5 acres but in the process of satisfying requirements and lack of the ability to look at each individual section it was lumped into an inappropriate zoning. That is why they are present before the board to try and show the justification for making the change. If there is greater density at both ends of a road and they are talking about the parcel upon which the road lies it certainly would make good justification to have it lower designation as opposed as a higher designation.

When they look at the 1 - 8 criteria in context of the individual parcel he could show there is science behind their request and it is consistent with the Growth Management Act. If they look at the colors of the zoning density map in Planning it is in pink which is one dwelling per 5 acres. This is an appropriate designation for this area.

Cmmr. Baze asked if there is an agreement with the Peste Trust between Sunny Woods to use the road. Is there any kind of a maintenance agreement.

Mr. Martig stated he has seen the criteria change from a handshake to a point where they can hardly get all the verbiage on the plat map to support what they can or cannot do. The record is very unclear. There is no documented alignment or agreement to his knowledge other than the fact that over time by agreement it has been used by the public or lack of enforcement of not allowing them to use it.

Cmmr. Baze asked in the request for designation of one dwelling in five acres what are the plans for the road.

Mr. Martig replied under the current planning regulations and guidelines, if they are granted the requested designation they will be able to go ahead and do the planning which is the improvement of the road.

Cmmr. Johnson stated the request is for five-acre zoning and the Planning Advisory Committee has come up with 10-acre zoning. He asked if he saw he more problems with a five-acre zoning versus ten-acre zoning.

Mr. Martig answered that he was present at the October 20 Planning Advisory Committee meeting discussed this issue. One of the members asked if they had the authority to make a compromise recommendation. If they look in detail at what is being done in the county, the science argues for the RR5. From an environmental engineer standpoint he did not think the densities mattered whether it was an RR5 or RR10 as the same setbacks and critical areas apply.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 9**

Cmmr. Baze asked if they felt the applicant is better off with the RR5 designation in light of the clustering capabilities with the RR10 designation.

Mr. Martig stated yes. When they look at the areas that have to be subtracted out before they can look at the areas that can participate in the clustering acreage, they are better off with RR5 designation.

Cmmr. Kamin asked if the applicant is aware they can do the performance cluster on their 500 acres.

Mr. Martig commented they were aware. Without sitting down and subtracting certain areas, looking at the alignment of the road, looking at the various things they have to use the science around it sounds good. At their particular site they are better off to have RR5 instead of RR10.

Deputy Prosecutor Darren Nienaber asked if the applicants considered dividing it, since they are dealing with several large tracts of land, and coming back with a rezone at that time.

Mr. Martig stated they are looking at planning and what they know they want to do. They would like to get there.

Cmmr. Kamin stated that Mr. Taylor only wanted to address Parcel B (Section 21). She questioned if Mr. Martig has anything to say about the other two pieces.

Mr. Martig replied, not really, the real focus on what can be done with the three relies in the Section 21 property. They are concentrating on that because they think they can do the most good for their client and the County.

Dan Holman stated he is a land surveyor. Demand is determined in one place, the market. He has a client who has recently surveyed and segregated six parcels of land near the corner of Jensen Road and Brockdale Road. He does not think the project has been approved for more than two months. There are five sales pending out of six which indicates demand. Additionally, they can't sell acreage tracts if there are none to sell. Inventory is low, prices are rising, which indicates demand. He has also developed property in Mason County to a fairly large extent. Recently, his partners have submitted projects of a much smaller magnitude than this one and they expect to sell them very quickly, as soon as they are ready. The criteria for demand needs to fall within the market place. There are low interest rates. Real estate is selling and the demand is there. The issue of clustering seems to be an issue that is on their mind. He stated that even though the performance subdivision rules discussed the methods of clustering differently than possibly the RR5 designation might discuss them. His surveying firm has been working with the county and doing density averaging to a large extent. He believes there is a defacto method to clustering on Parcel B. There are wetlands in the vicinity and once the designation of the wetlands is determined there will be a form of clustering emerge. He concurred the PAC suggestion to rezone from an RR20 to RR10 is a good suggestion but felt the RR5 designation would be better and more appropriate based on the comments made by Mr. Taylor and Mr. Martig.

Cmmr. Johnson asked how large are the parcels at the corner of Jensen Road and Brockdale Road.

Mr. Holman responded they are generally five-acre tracts.

Bob Fristoe stated he has represented the Peste family for many years. Mr. Holman had a preliminary plat presented to the County for a significant portion of Section 21 at the time the

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 10**

"freeze" came on. He has a letter from the County that it was under the "freeze". They are now before the Board. He encouraged the Commissioners to approve the request for rezone to RR5 for Section 21. The third Parcel C arguments against zoning it as requested outweigh the arguments in favor of the other two.

Cmmr. Kamin referred to Parcel A and asked if it part of the old tree yard.

Mr. Fristoe responded it is.

Cmmr. Kamin questioned if the only access is through the tree yard.

Mr. Fristoe stated, yes that is his understanding. He is not certain the configuration of the access road through Section 21 is exactly as depicted on maps. The County does have adequate protection that an access is provided.

Deputy Prosecutor Nienaber asked Bob Fink when the county was first held invalid for the minimum lot size.

Bob Fink replied for the rural densities it was the end of 1996.

Mr. Nienaber stated the Growth Management Hearings Board determined the interim lot sizes were invalid.

Mr. Fink stated, yes, it was the five-acre density that the County originally adopted throughout the area was ruled invalid.

Mr. Nienaber asked what does invalid mean under the Growth Management Act.

Mr. Fink replied that invalid means that applications, which come in for approval, cannot vest to the current invalid regulations. There are exceptions to certain applications, such as for building a single-family house on existing lot. An application like a subdivision or large lot land division are not exempt from the invalidity.

Mr. Nienaber asked if the Growth Management Hearings Board has the power to make determinations of invalidity.

Mr. Fink replied that is correct.

Mr. Nienaber stated that even if they had processed an application for subdivision in a rural area while they were invalid it would not be valid.

Mr. Fink stated that is a question for the attorneys, but it was his understanding that they could not process that application until such time as they had a valid regulation to compare the application against.

Mr. Nienaber asked why the Hearings Board determined minimum lot sizes to be invalid.

Mr. Fink commented that there are a number of reasons but for this issue the principal reason was the five-acre standard density was too high to preserve the rural character. Based on the ultimate decision of the Growth Management Hearings Board, the decision in Jefferson County, which Mason County modeled our approach after, is that densities in the rural area are acceptable as preserving the rural character. When they are a mix of 5, 10, and 20 acre densities or no higher

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 11**

than 10 acres on average. If they had one density it could not be less than 10 acres based on decisions elsewhere.

Mr. Nienaber stated the decision by the Growth Management Hearings Board at five-acre minimum in the county's case was not appropriate. That is the same view that the Hearings Boards generally upheld that view.

Mr. Fink stated he was not aware of any inconsistent decisions on those terms. Every board makes slightly different decisions based on the record in front of them.

Mr. Nienaber pointed he wanted to provide a historical perspective in relation to the submission of the subdivision application and how that ties into the history. It is not entirely relevant to the rezone criteria, comprehensive plan criteria, but it is helpful.

Cmmr. Johnson commented that the question continues to come up that the state of invalidity that the county was in for a number of years had a profound effect on a lot of people which was not understood at the time.

Cmmr. Kamin questioned if Mason County is the only county that has zoning for 5, 10 and 20 acres.

Mr. Fink responded Mason County modeled our regulations after the success of Jefferson County under a challenge that had similar basis. Kitsap County also has a variety of densities. There have been a number of decisions not only in the western Growth Management Hearings Board but also in the other boards.

Mr. Nienaber pointed out that for the counties that do have five-acre minimums across the county, none have been challenged or petitioned to the Growth Management Hearings Board. They have passed comprehensive plans very early in the process and were never petitioned by any party. Many of the counties face an update in 2004 and 2005. They will all have to face similar challenges.

Cmmr. Kamin asked if the best way to preserve rural character is with zones of 5, 10, and 20 acres.

Mr. Fink stated that he is not sure the Hearings Board has said that is the best way to preserve rural character. That was a decision of the counties as to how to preserve rural character. What the Board said is unless you have adequately low densities or a variety of densities, which are adequately low, and whole you do not protect rural character.

Chairperson Johnson closed the public testimony closed.

Cmmr. Baze stated he would like to render a decision a week from today.

Cmmr. Kamin/Baze moved and seconded to close the public hearing and continue the decision at the March 9, 2004 meeting for the Rezone Request No. 02-07 for Davison & L. Peste Trust. Motion carried unanimously. B-aye; J-aye; K-aye.

RECESS

The Board recessed at 11:02 a.m. for five minutes.

10.2.3 - Merrill and Ring – Rezone Request No. 02-14

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 12**

Allan Borden, Planner, presented the staff report and referred to a map, which illustrated the parcels in blue. There are 14 parcels which are all RR20, except for two parcels (Parcels K & L) which are adjacent to Lake Limerick and zoned RR5. The applicants are requesting to rezone from RR20 to RR10.

They would not be subject to the rezone because if they were going from RR20 to RR10 and they are already RR5 there is no advantage. The parcels north of Lake Limerick have either wetland or stream critical areas and a gas transport line which passes through the subdivision. Parcels on the east side which are east and south of Mason Lake Road also have wetlands and streams and have the railroad and BPA transmission lines running through them. Any development proposed on those properties would need to meet the proper setback or buffer standards for the critical areas. During the staff review the application did not contain information about the demand for increased development densities, but did briefly mention about trespass and nuisance concerns on the property. Staff concluded with the predominance of Rural Residential 20 adjoining subject parcels, the presence of critical areas and very limited access to county roads (Mason Lake Road) the consistent designation should remain RR10.

The Planning Advisory Commission (PAC) recommended to approve Parcels A – J and deny M – N for rezone from RR 20 to RR 10. Parcels M & N are not contiguous with the subdivision and completely surrounded by RR20.

The Planning Staff does not concur with the PAC recommendation for Parcels A-J, but supports denial of M-N. Staff is recommending denial of the request for Parcels A-J as the rezone from RR20 to RR10 is not consistent.

Cmmr. Baze asked how the Planning Advisory Commission could go through criterion 1-8 and staff also go through criterion 1-8 and come up with the opposite finding. He asked if the PAC does not have the complete record or are they looking at different criteria.

Mr. Borden responded the PAC and staff is reviewing the same kind of information. For criterion two the PAC felt that one of the criteria in the comp plan talks about a consistent designation for RR 10 would be a transition between 1 and 20. They believed that is the situation. The Planning Staff noted that it is obvious that the transition is from 5 to 20.

Cmmr. Baze asked if there is a desire to have a transition between intense development and low development.

Mr. Borden replied there is a certain preference to that. These properties are only one quarter section so they are 600+ feet deep. In the comp plan when there is discussion about designation of RR10 they are talking about fairly large areas that protect resource values and not necessarily a strip of land as proposed by the applicant.

Cmmr. Baze commented that the Board has appointed the PAC and feel it is a balanced Commission. However, the Board has a balancing act to keep the County in a state of Growth Management validity. He questioned if this plays a factor in the decisions that the staff makes that the PAC doesn't look at. He questioned if staff is trying to balance the wishes of the Growth Management Hearings Board and what the County has done to come into compliance and try to stay in compliance.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 13**

Mr. Borden stated the Department has to look forward to anticipate if there are similar requests in the future. Is this going to start a tendency to change designations at some rate. They are looking to see if there is something significant that has changed in the area or something unique about the property which would validate the requested rezone.

Cmmr. Baze asked if there is a concern by staff that there could be a domino effect.

Mr. Borden responded, yes there is some concern. There are large tracts of RR20 which are through much of the center part of the County between Hood Canal and Oakland Bay. If they start doing changes in designations they would reduce the size of the tracts and may not be able to provide protection.

Cmmr. Johnson noted in the application that the number of acres owned by Merrill & Ring in Mason County was 3300. There is reference to 1300 acres and the applications for rezone are a little over 300 acres. The request for rezones is very selective sites to provide for a transition from a higher density area to a less dense area. There appears to be considerable thought on the applicant. He questioned if that has an impact as far as the recommendation of the Planning Staff.

Mr. Borden responded he did not recall the Planning Advisory Commission stated the lands which are in the request are a selected subset of what Merrill & Ring owns in the vicinity. It is correct that the applicant was selective of the parcels that were adjacent to the intensive development of Lake Limerick proposed for RR10.

Cmmr. Baze asked if consideration was given to that by staff in their conclusion.

Mr. Nienaber commented they couldn't look at who owns what for rezone. They can look at the factors such as what the pattern of ownership is or the factor of adjacent zoning.

Cmmr. Baze stated there is criteria for a rezone request. If there is a parcel of land surrounded by RR20 and you are trying to rezone to RR5 it does not make sense to apply for the rezone because it does not fit. When the applicant submits an application because they believe it makes a transition they are still taking a risk.

Mr. Borden stated when they look at each individual parcels everything on the north side except for Parcel C, if any of them changed to another designation they would have to say that RR20 is not appropriate. Parcels A-F all have greater than 75% borders that are RR20.

Cmmr. Kamin asked if the staff changed its recommendation after the Planning Advisory Commission heard the comments.

Mr. Borden responded that staff made a recommendation and did not change it.

Mr. Fink added if they look at the criteria each one allows for judgement to be applied and a matter of balancing what is most important. One of the principal concerns is if they look at all the criteria is the cumulative impacts of the rezone requests or creating pressure to change land use designations. The concern of the County is that the properties are consistent with the criteria. That they can distinguish them from other properties. If they did not think there was a strong case for distinguishing the properties they were very reluctant to recommend the rezones because they thought it was important. They are also concerned about the big picture. If they look at the overall zone map, typically the RR20 will occur in larger blocks of land. There are small areas of five-acre or ten-acre land, which reflects the existing pattern of development.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 14**

Mark Willhite, represented Merrill & Ring for approx. nine years and has been handling a lot of their Mason County lands. He read a letter written by Norm Shaw in support of Merrill and Ring's application.

The planning advisory commission recommended approval of the rezone request for parcels a - j and m-n from RR20 to RR10 as requested. The rezone if approved will provide a transition zone on their property between the high-density neighborhood of Lake Limerick and their remaining timberlands. In the absence of the rezone, land use changes from suburban density to resource lands right at their boundary. They tried to compromise with RR5, RR10 and RR20 for a transition. There appears to be a lot of room for interpretation on how the transition should be defined. There are wetlands to be considered on the property. They are very well protected and can be accounted for as well as road construction, which will need to be done. The land is fairly gravelly and level. As far as services, they are at Lake Limerick. In parcels I & J (two southerly most tracts), the legal access is to the south over a private permanent legal easement. The gas line goes all the way through their section. It has not caused a transportation problem. The clustering has a lot of appeal to the applicants with their wetland and forestland to set aside. They would like to see a lot of flexibility on the applicants' lands.

Cmmr. Johnson commented that Mr. Willhite's comment reinforces his analysis that there is a great deal of forethought in what was requested for rezone. They were taking into account the criteria.

The identification of certain kinds of hazards which exist where there is forest RR20 which may be resource land but is forest land, it may not be long term forest but there is logging occurring. The inroads which high density development has on that kind of property in terms of tree houses, bike paths, motorcycle paths, etc.

Mr. Willhite stated that having someone out on the property on weekends has decreased the meth labs and vehicles in the area. They have sold 20-acre parcels and homes have been built.

The Board closed the public comment portion and thanked the testimony received and also the staff and Planning Advisory Commission for their diligent work involved on this application. The Board felt that with the testimony given it deserves more thought as there are complicated issues being dealt with.

Cmmr. Baze/Kamin moved and seconded to close the hearing and render a decision on March 9, 2004 for Rezone Request No. 02-14 for Merrill & Ring. Motion carried unanimously. B-aye; J-aye; K-aye.

10.2.4 - Ken VanBuskirk - Rezone Request No. 02-03

Allan Borden, Planner, presented the staff report. Adjoining properties to the North, South and East are small properties designated Urban Growth area. Old Belfair Highway and Davis Farm Road provide access. To the west between parcels in the Union River floodplain are agriculture resource lands designated by the County. The applicant requests to be taken out of the UGA due to critical areas present and the protection of agricultural resource lands to the west.

The Planning Advisory Commission concluded that a decision of the request should be deferred so the Sub-Area Plan could be developed in land use zoning of the parcels could be decided upon at that time. Also, the request for five parcels to be rezoned from Belfair UGA to RR 5 should be remanded back to Belfair Subarea Planning Group.

The Planning Staff supports tabling this request to permit the review to take place.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 15**

Cmmr. Johnson asked if there is a map of the area. He understood there is a small piece in the northeast part of the property that is not included in the request.

Peggy Davis VanBuskirk responded it might not be included in the request, because they did not own it at the time, but they do now.

Mr. Borden noted that Parcel 12329-12-00020 is in the northeast area; -00030 is in the center; -00040 is the southern portion; 00050 is in the northwest quarter; 00060 is along Old Belfair Highway.

Peggy Davis VanBuskirk stated she wanted to give a brief history as to why the rezone request is submitted. She stated that she has lived on Davis Farm Road for 50 years. When the Growth Management Act process was started in the County, she became involved on the original ad hoc committee. They worked hard to come up with guidelines for the county. She felt strongly with the Belfair UGA and agreed with the Hearings Board that it was too large. She did not believe the critical areas were protected, but was assured they would be. She questioned how that could occur when the streams are not mapped. One of the important things is not to put conflicting land uses next to each other. She feels the urban boundaries abutting a farm is not responsible and would eventually lead to litigation. They have purchased 10 acres to help protect one boundary of the farm and prevent nasty disputes in the near future. They have paid urban prices for the parcels so the owners got the most for their property. They would like to be taken out of urban boundaries because it would eventually make it difficult to pay the price tag of having rural land in an urban area. The County has three UGAs. She was not sure how their ten acres is that significant in the whole picture. The 10 acres north of their property is in small parcels. It only has two owners and one was very surprised to learn they were in the UGA and was very upset. One of the property owners is on the Planning Advisory Commission and recused himself from the decisions because he would not like to be in the UGA and neither would his neighbor to the south. She questioned what the appeal process is if they do not agree with the decision of the Board.

Darren Nienaber, Deputy Prosecutor, commented this is the final decision for purpose of appeal to the County. He suggested she would need to talk with a private attorney if she wished to appeal.

Cmmr. Kamin stated she understood the 10 acres abuts their original family farm. She questioned if there is land placed in conservancy.

Mrs. VanBuskirk stated the farm has been placed in conservancy and the ten acres are in open space, which they live on.

Ken VanBuskirk Davis Farm stated they have a lot of friends support them in this process. He shared an article in the Journal 2 years ago having to do with submitting applications to amend Mason County land use and development maps which delineate residential densities, resource land designations, urban growth areas and rural lands used in the County. He spent many hours in putting together an application, followed the procedure and drove many miles to work through this. He received the latest staff report on Friday. He noted that he was a member of the Belfair Sub-Area Planning Group and was labeled by some as an anti-growth. He would prefer to think of himself as a responsible steward of the land.

He did not agree that criterion 2 was not met. He referred to the Planning Advisory Commission meeting notes of October 6, 2003, pg. 9 also referred to his neighbor, Steve Clayton, who was sitting on the committee and recusing himself concerning this issue because of the neighboring land owner.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 16**

Mr. VanBuskirk was not clear why Mr. Clayton was not able to sit on the case that was an advisory committee.

Cmmr. Johnson stated that would be Mr. Clayton's choice whether to recuse himself or not.

Mr. VanBuskirk stated he is still unclear about the appeal process but understood they could get an attorney.

Mr. Nienaber stated it is not entirely clear in where you will go. It would be an exercise in legal judgement and they would probably want to talk to someone with expertise in that area.

Cmmr. Johnson referred to pg 10 of the October 6, 2003 PAC minutes where Mr. VanBuskirk mentioned if their application was not to be approved he would prefer a deferral.

Mr. VanBuskirk stated that was in October and there has been some time elapsed and he would now prefer to have a decision.

He referred to testimony in November 17, 2003, pgs. 18 & 19 where Diane Edgin has been a member of the PAC. She felt that the UGA lines were not drawn with what was on the ground.

The PAC wanted to wait until the SubArea Planning Committee finished their process.

Mr. VanBuskirk stated that he did not consider the members on the SubArea Planning Committee as his neighbors. There were 27 people on the committee and the majority does not live in the UGA. Many of his neighbors are interested in the process.

He referred to signatures on a petition in the packet.

Cmmr. Johnson noted there were a lot of signatures and asked about the date of the petition.

Mr. VanBuskirk stated he probably didn't put a date on the petition. The signatures were collected at a farmer's market in September of 2003 before the public process started. They have worked 20 years in purchasing their property long before any idea of a UGA line being drawn. He urged the board to approve their application for rezone.

Cmmr. Baze asked how being in the UGA would be detrimental for their property.

Mr. VanBuskirk stated at one of the last PAC meetings an ordinance was considered to be required to hook up to a sewer if they were in an UGA if the sewer line became available. This would be a disadvantage because it would put pressure on them to sell their property and they don't want to sell their property. Realtors all around them are selling property as being in the UGA. They use that as a marketing tool for profit. They paid a lot of money for the last piece of property because it was in the UGA. If their neighbors see they are successful there might be more applications before the Commissioners.

Cmmr. Baze asked if their neighbors also petitioned the PAC.

Mr. VanBuskirk replied, no. However, he did ask if they would like to be involved. Most of the neighbors don't even know they are in the UGA. One neighbor didn't have the \$200 to put in an application.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 17**

Cmmr. Baze questioned if it would be better to move the UGA line in that process to the south of the property rather than going through the process of eliminating a block of ten acres out of the UGA .

Mr. VanBuskirk stated they were told, at a Belfair SubArea Planning Subcommittee, they could not touch the lines.

Cmmr. Baze asked if the current designation is harming them. Also, if the neighbors are of the same mind and would like to move the line could they go to the planning process which has not been finalized and accomplish it through those means and move the line for several involved.

Mr. VanBuskirk commented he asked how to do this two years ago and they were told this is the process to change the UGA lines.

Cmmr. Baze noted there are people on the other side of the Belfair UGA that would like to be included in the UGA.

Cmmr. Kamin stated that Mr. VanBuskirk was told in the Sub-area Planning meetings that the County was not talking about adjusting the UGA boundary at that time, but just the development regulations for the UGA.

Bob Fink stated that they were not going to address that until the 2005 update, which will begin fairly soon. It is a countywide issue beyond the scope of the Belfair Sub-Area group. The Sub-Area group felt they had enough work to do to complete the zoning and make a recommendation based on the current boundaries.

Cmmr. Kamin stated that adjusting the UGA boundary is something they reserve for time to be able to look at the whole big picture.

Mr. Fink noted that one issue is the boundary of the UGA is in the Comprehensive Plan and requires an amendment. To amend the Comprehensive Plan (UGA boundary) would require a process of proper notification. It is a separate action than establishing the zoning. In most of the cases the rural rezone cases are within the rural area and changes of zoning within the rural area and does not require a change to the Comprehensive Plan.

The County could make a decision and approve the change being requested by Mr. VanBuskirk that would require the boundary change and rural zoning to be established. What is recommended is as a matter of timing there is a proposal from the Belfair SubArea group to the PAC. They have not begun the review or held hearings yet. It is advisable to consider the bigger picture. It was intended to address the urban growth area boundary as part of the updating of 2005. When the urban boundary is addressed consideration must be given to the overall population and the land needs of that population which is allocated to the UGA. They are dealing with the current allocations projected for 2014.

Deputy Prosecutor Darren Nienaber questioned when the Belfair plan is going to the PAC.

Mr. Fink stated it is proposed for April of 2004.

Mr. Nienaber asked if the PAC had recommended they wanted to take a look at the rezone as part of the overall plan, which has already been distributed.

Mr. Fink concurred.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 18**

Mr. Nienaber asked what some of the issues, which might come up although, may be resolvable might be something the PAC might want to take a more detailed look at.

Mr. Fink noted that the principal issue which there was not enough information dealt with public services such as the sewer line, possible vision of sidewalks or other road improvements and the effect if any that removing the area may have on being able to do that. If the area is removed there would not be a continuous urban area on the west side of that county road to the end of the urban area. Another issue had to do with the allocation or the balancing of allocation. This is not a lot of acreage, but it still needs to be considered how it effects the balance.

Cmmr. Baze asked if everyone is in agreement (County, VanBuskirks and neighbors) could they be let out of the UGA.

Mr. Fink stated it is a legitimate issue to raise and could be within the scope of what would be considered. It would be given consideration by the PAC. Ultimately, it would go to the Commissioners.

Cmmr. Kamin stated she understood the subarea group is creating a designation of agricultural for the UGA. She questioned why don't they just make a recommendation that when they relook at the boundary there is an adjustment.

Cmmr. Johnson added it seems like it is a matter of timeliness that there are additional considerations to be given to this request. Now is not the time to say yes or no.

Mr. VanBuskirk concurred that maybe the subarea plan should not be heard until after the population allocation is determined.

The Board closed the public hearing

The Board acknowledged that the VanBuskirks have spent a lot of time in going before the PAC and Commissioners.

Cmmr. Kamin stated she appreciated the suggestion that when the issue goes to the PAC that they also look at the population allocation at the same time.

Cmmr. Kamin/Baze moved and seconded the Board of County Commissioners adopt the recommendation of the Department of Community Development on Rezone Request No. 02-03 Ken VanBuskirk and adopt the motion to table the request for five parcels to rezone from Belfair Urban Growth Area to Rural Residential 5 and to refer this rezone request to the Planning Advisory Commission for consideration in their review of the Belfair Subarea Plan; and move to have the chair sign the Findings of Fact for this decision. Motion carried unanimously.

11. Other Business (Department Heads and Elected Officials)

- 11.1 Announce decision on Rezone Request #02-06, Sheldon Properties. The hearing was held February 24, 2004 and was closed.

Chairperson Wes Johnson explained that the Board held a hearing on February 24, 2004 and the public hearing was closed and deferred for action until today.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
MARCH 2, 2004 - PAGE 19**

Deputy Prosecutor Darren Nienaber commented that he looked over the whole record for the Sheldon Properties. It was a complicated rezone because there were 14-16 parcels involved. The only dispute was on two of the parcels. When he looked at the record there wasn't much of a discussion from the Planning Department's side regarding those two parcels and the function of the 10-acre minimum lot size were. When the applicant did respond to any concerns by the Planning Department, there wasn't any description by that department of what the 10 acre minimum lot size did serve. Each rezone is to be treated in a quasi- judicial fashion. They are to look at the evidence in the record and if there is evidence on one side and not the other, you are obligated to rule. There could be cases where there are similar facts situations. If there is a description of the functions and values of a 10-acre minimum it might be a different result. Just looking at the limited record the Board ruled in the way they should go.

Cmmr. Baze/Kamin moved and seconded that the Board of County Commissioners adopt the recommendation of the Planning Advisory Commission on Rezone Request No. 02-06 Sheldon Properties and adopt a motion to approve the rezone for parcels listed as 42215-22-00000, 42215-21-00000, 42215-23-00000, and 42215-14-00000 and, as requested, by the applicant the rezone requests for the remaining parcels shall be withdrawn. Also, move to have the chair sign the findings of fact to support this decision in light of the whole record. Motion carried unanimously. B-aye; J-aye; K-aye.

12. Administration - None

13. Adjournment - The meeting adjourned at 12:32 p.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Wesley E. Johnson, Chairperson

Jayni L. Kamin, Commissioner

ATTEST:

Herb Baze, Commissioner

Rebecca S. Rogers, Clerk of the Board

