

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

APRIL 20, 2004

1. Call to Order – The meeting was called to order at 9:01 a.m. by Chairperson Wesley E. Johnson.
2. Pledge of Allegiance – Chairperson Johnson led the flag salute.
3. Roll Call - Present: Cmmr. Dist. 1 - Herb Baze; Cmmr. Dist. 2 - Wesley E. Johnson; Cmmr. Dist. 3 - Jayni L. Kamin.
4. Approval of Minutes – regular meeting minutes of 3/2/04 & 4/6/04; special meeting minutes of 4/2/04 and briefing minutes of 1/26/04, 3/1/04, 3/22/04 & 3/23/04.

Cmmr. Kamin/Baze moved and seconded to approve the regular meeting minutes of March 2 and the correction of April 6, 2004, special meeting minutes of April 2, 2004 and briefing minutes of January 26, March 1, March 22 and March 23, 2004. Motion carried unanimously. B-aye; K-aye; J-aye.

5. Board's Calendar for week of April 20 – 27, 2004.
6. Correspondence and Organizational Business
 - 6.1 Correspondence
 - 6.1.1 Washington State Secretary sent a letter congratulating the County on the 150th anniversary of the creation of Mason County.
 - 6.1.2 An application was received from Dennie R. Ross seeking reappointment to the Mason County Board of Equalization.
 - 6.1.3 An application was received from Pat McCullough to serve on the Belfair SR3 Special Road Project Oversight Committee.
 - 6.1.4 Fire District No. 2 expressed appreciation for the Fire Marshal's assistance during a fire on Saturday, April 10.
 - 6.1.5 Economic Development Council recommended that Mary Jo Cady serve on the Pacific Mountain Workforce Development Council.
 - 6.1.6 Michael R. Brown has submitted a letter of resignation on the TIP-CAP board.
 - 6.1.7 Allyn Community Association thanked the County for assistance given during the creation and compilation of the "Allyn Interim Zoning Code."
 - 6.1.8 Allyn Community Association requests that Mason County defer actions to vacate any roads in the Allyn UGA until resolution of the interim zoning regulations and the Allyn UGA Plan.
 - 6.1.9 Mason County Rodeo invited the Mason County Commissioners to be Co-Grand Marshall's of the 2004 Mason County Rodeo.
 - 6.2 Dave Christensen, HCCC, presentation of information regarding the dissolved oxygen issue in Hood Canal. Ms. Debbie Riley, Environmental Health Manager, introduced Jay Watson and Dave Christensen of Hood Canal Coordinating Council (HCCC). Mr. Christensen and Mr. Watson are presenting the information they have about the dissolved oxygen issue in Hood Canal.

Mr. Christensen stated HCCC is working in conjunction with the Puget Sound Action Team to develop a preliminary assessment and a corrective action plan to address the low dissolved oxygen in Hood Canal. There are many unknown causes and sources of the low dissolved oxygen. Governor Locke and Congressman Dicks have recognized that early actions are necessary. They have provided funding for the assessment. Mr. Christensen stated the Puget Sound Action Team approached the HCCC and offered to work directly with staff and the Elected Officials of the local governments. Mr. Christensen stated he began working on the project in February 2004. He stated the process is very accelerated. Two meetings have already happened with technical staff. The outcome was the development of a preliminary plan. The plan is not yet public, because it still

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needs to be approved by the original technical committee. The first draft should be ready by April 26, 2004. There are many issues that may interest the County. Funding will be available and appropriated through the Environmental Protection Agency (EPA) to implement some of the ideas and the actions in the plan. Mr. Christensen and Mr. Watson will work with the County Commissioners, Tribal Officials and the Conservation Districts to ensure the project is on track.

Cmmr Johnson thanked Mr. Christensen and Mr. Watson for the work they have done to address and help find a solution for the problem. Commissioner Johnson acknowledged the amount of work it will take to coordinate with all the Counties, Tribes and other government agencies that border the Hood Canal. Each entity will be very interested because of the valuable natural resources the Canal has.

Mr. Christensen stated the funding that has been allocated at this time is about \$600,000 to implement corrective action. He also stated the amount of money currently allocated is not enough to fund all the projects that are part of the solution.

Cmmr. Baze thanked the gentlemen and requested they keep the Commissioners informed of any plans or actions as they arise.

- 6.3 The Sheriff's Department has announced they awarded the post for quotes award to Reiner's South Sound Honda of Olympia in the amount of \$7,305 for one motorcycle for their O.R.V. program. The post for quotes was authorized March 23, 2004. Cmmr. Johnson presented the bid award for the Sheriff's Department. He stated three bids had been submitted.

7. Open Forum for Citizen Input

Vivian Mitchell a Shorecrest resident, stated she was happy to see the Crestview Drive road project is underway. She recalled it has been ten years since the project first began, and has required three environmental impacts to be approved before the project could begin. She commented that the environmental impact has cost an enormous amount of money to the County Road Department.

Cmmr. Johnson agreed environmental issues bring enormous costs to many road projects.

8. Adoption of Agenda - **Cmmr. Baze/Kamin moved and seconded to approve the agenda as presented. Motion carried unanimously. K-aye; B-aye; J-aye.**

9. Approval of Consent Agenda:

- 9.1 Approval of Warrants
- | | | |
|----------------------|---------------|----------------|
| Claims Clearing Fund | 69658-70472 | \$760,093.02 |
| Salary Clearing Fund | 137753-138631 | \$2,201,650.23 |
- 9.2 Approval to appoint the following individuals to the Lower Hood Canal Watershed Implementation Committee (LHCWIC) for a one year term ending April 30, 2005: Don Atkinson, William Broughton, Dave Garland, Robert Hagar, Jeff Heinis, Jodie Holdcroft, Constance Ibsen, Judy Likkel, Dennis Lotts, Michael Madsen, John Phillips, Debbie Riley, David Roberts, Tom Springer, Jim Thompson, Phil Wiatrak, Clay Wilcox and appoint Tom Springer & Judy Likkel as Co-Chairpersons.
- 9.3 Approval of the resolution to adopt the Mason County Debt Policy per the request of the Mason County Finance Committee. **Resolution No. 28-04 (Exhibit A)**
- 9.4 Approval of Veterans Assistance Fund application for Billy G. Pettey - housing \$400.00.

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- 9.5 Approval of Consolidated Contract amendment #9 between Department of Health and Mason County Department of Health Services to reduce the Healthy Child Care Washington (HCCW) Infant Toddler program by \$4,000 for the July, 03 to June, 04 time period. This is due to a vacancy in the position.
- 9.6 Approval of the Mason County Lodging Tax Advisory Committee recommendation for the following event grants for 2004: Puget Sound Anglers, \$500 and correct the amount previously awarded to Pioneer Kiwanis, \$200 and South Mason Soccer Tournament, \$1,500.
- 9.7 Approval of the 2004-2006 Collective Bargaining Agreement between Mason County and the Mason County Engineer's Guild and approve and authorize the Chair to sign the subscription agreement for continued medical insurance coverage through the Washington Teamster Welfare Trust.
- 9.8 Approval of the 2004-2006 Collective Bargaining Agreement between Mason County and the Woodworkers Local Lodge W38 and approve and authorize the Chair to sign the subscription agreement for continued group insurance coverage through the Washington Teamsters Welfare Trust.
- 9.9 Approval for the ER&R Manager to purchase two Motorola Astro Spectra Digital mobile radio units for police vehicles on a sole source basis from the Western States Contracting Alliance Public Safety Communication Equipment contract. Approximate cost is \$6,900.00 plus tax.
- 9.10 Approval of the ordinance repealing sewer tap-in restrictions for wetland, forest, and floodplain properties in the North Bay/Case Inlet service area. **Ordinance No. 29-04 (Exhibit B)**
- 9.11 Approval to set a public hearing on Tuesday, May 4, 2004 at 6:00 p.m. at the Mary M. Knight Modular Building in Matlock, to accept public comment on the Chehalis Basin Watershed Management Plan.
- 9.12 Approval of the addendum to the agreement with the City of Shelton for use of the Mason County Jail Facilities stating the flat monthly and confinement billing rate will be \$9,720 based on the agreed adjusted monthly average confinement days of 180 per month.
- 9.13 Approval of Liquor License Application: Assumption: From Gerald R & Sharon L. Carter d.b.a. JR's Restaurant & Lounge; Applicants: Taylor Towne, LLC, Patricia L. Martin; Tradename: JR Restaurant & Lounge; Privileges Applied For: Spirits/Beer/Wine Restaurant Lounge
- 9.14 Approval to set a public hearing at 9:30 AM on May 4, 2004, to consider amendment to the county regulations regarding large lot subdivisions to allow administrative approval of more than one access point onto a county arterial or collector road.

Cmmr. Johnson requested 9.3 and 9.13 to be pulled out for separate consideration. He requested Ms. Lisa Fraiser, Treasurer, to present the Debt Policy.

Ms. Lisa Frasier, Treasurer, stated RCW 36.48. 070 requires that the Mason County Finance Committee adopts a Debt Policy. In the past there has not been a formal Debt Policy for Mason County. For the last several years she has been working with a model from the Government Finance Officers Association and with several other Counties to put together a Debt Policy for Mason County. With the help of the Finance Committee, which included the Chair of the Board of Commissioners, and Al Brotche, the County Auditor they have been working on the guidelines. The policy does not require adoption by the full Board but the Finance Committee would like the full cooperation and approval of the Board for the Debt Policy.

The Commissioners thanked Lisa for her leadership as Chair of the Finance Committee.

Cmmr. Johnson stated item 9.13 is a Liquor License and the Commissioners don't approve them, they just specify if there are no objections to them.

Cmmr. Kamin/Baze moved and seconded to approve the consent agenda items 9.1 through 9.12 and 9.14 as presented. Motion carried unanimously. B-aye; K-aye; J-aye.

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Cmmr. Baze /Kamin moved and seconded that the Board has no objection to the Liquor License Application Assumption: From Gerald R & Sharon L. Carter d.b.a. JR's Restaurant & Lounge; Applicants: Taylor Towne, LLC, Patricia L. Martin; Tradename: JR Restaurant & Lounge; Privileges Applied For: Spirits/Beer/Wine Restaurant Lounge as presented in consent agenda item 9.13. Motion carried unanimously. B-aye; K-aye; J-aye.

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

10.1 Continuation of the public hearing from April 13, 2004 to review the request of Taylor Shellfish to rezone three properties in the Rural Area of Mason County from the Rural Residential 5 zone to the Rural Natural Resources zone. Staff: Allan Borden informed the Board that the continuation was requested to allow staff to follow up on an issue that was brought up by the applicant. The issue was the potential of expediting by State Agencies of the adoption of new or revised comprehensive plan elements.

Mr. Borden researched the potential for the Taylor shellfish rezone request to be expedited and found that it did not meet the dates that are set forth in the bill that was past by the Legislature and signed by Governor Locke. The new Revised Code of Washington 36.70A.106 has an effective date of June 10, 2004. The Legislature did consider and pass the bill on March 4, 2004 and signed by Governor Locke on March 29, 2004 providing for an expedited state review period. Due to the effective date set, Mr. Borden requested the Commissioners continue the public hearing for the rezone request by Taylor Shellfish to May 18, 2004 at 9:30 am, to permit the completion of the sixty-day review period by state agencies.

Cmmr. Baze clarified with Mr. Borden the sixty-day review period that could have been waived is still in place, and we have to work with that.

Mr. Borden replied yes.

Cmmr. Johnson confirmed it was strictly a matter of abiding by the requirements of the law with regards to this even though it was indicated last week that we were willing to expedite the revision if we could, but because of the provisions of the law that is not possible.

Mr. Borden stated that Commissioner Johnson was correct and went on to explain there is a certain risk that a City or County would bear if a new regulation were adopted prior to the sixty-day period.

Mr. Fink commented he had talked to the Office of Community Development, who said they had no comment on the Taylor Shellfish rezone, and would have been willing to expedite it, but since the law hadn't taken place yet they couldn't do it at this time.

Cmmr. Kamin questioned how long it would take for the expedited service once the bill is in effect.

Mr. Fink replied that at this time no one knows the answer to the amount of time it will take for the expedited services. The purpose of the expedited review is when there is a non-controversial amendment that the state agency would consult with the other state agencies as part of the process as laid out in the statute. If no one has concerns or needs additional time to review the request, then they can issue a letter stating they have expedited the review, therefore not requiring the full sixty-days for review. This is new for the state agencies and they didn't indicate how long it would take to review each one. Until some are processed no one will know exactly how quickly they will be reviewed and returned.

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Cmmr. Johnson asked if the sixty-day maximum is still in effect if a review is not waived.

Mr. Fink replied yes.

Cmmr. Kamin /Baze moved and seconded to continue the public hearing on the rezone request by Taylor Shellfish to the date of May 18, 2004 at 9:30 am to permit the completion of the sixty-day review period by state agencies. Motion carried unanimously. B-aye; K-aye; J-aye.

11. Other Business (Department Heads and Elected Officials)

- 11.1 Approval to award the bid for the Mason County Skate Park concrete slab to Rognlin's Inc. of Aberdeen in the amount of \$73,825 plus tax. The bid opening was April 15, 2004. Staff: Mike Rutter requested the bid award to be given to Rognlin's Inc. of Aberdeen. He stated five bids were received and announced each company and the amount submitted on the bid.

Cmmr. Baze asked if that included more than just the concrete slab.

Mr. Rutter replied yes, many of the smaller projects were included in the bid request, such as the fencing, irrigation, storm water regulations to be met and the parking.

Cmmr. Baze/Kamin moved and seconded to award the bid for the Mason County Skate Park concrete slab to Rognlin's Inc. of Aberdeen in the amount of \$73, 825 plus tax. The bid opening was April 15, 2004. Motion carried unanimously. B-aye; K-aye; J-aye.

- 11.2 Approval to award the bid for the Mason County Skate Park equipment to Northwest Ramp Builders in the amount \$89,350 plus tax. The bid opening was April 15, 2004. Staff: Mike Rutter requested the bid award to be given to Northwest Ramp Builders. He stated three bids' were received and announced each company and their amount submitted for the bid.

Cmmr. Johnson noted the range of amounts in the bids that were submitted.

Mr. Rutter stated that each bidder had a different concept and design, which makes the difference in materials used. The Skate Park Committee wanted a wood structure with a wood deck on it and many others have a steel deck on them, which does raise the costs of the structure. Having a wood deck will give mobility of configuring the equipment in different ways over longer periods of time. The youth are happy about being able to change the configuration at a later date.

Cmmr. Kamin asked if the official name was going to be Shelton Skate Court.

Mr. Rutter stated it would be Mason County Skate Park.

Cmmr. Baze commented how long it has been awaited by the youth and acknowledged many people that have been dedicated to seeing the work done on the park.

Ms. Mitchell added that the children in Shorecrest are ecstatic about the new Skate Park. She also asked what liability does the County have for injuries.

Cmmr. Baze addressed Ms. Mitchell's question by informing her the Washington State Risk Pool insures the County. He explained that the new Skate Park would be included under the Parks policy that is already in place.

Mr. Rutter pointed out that at most of the parks there is a liability risk involved.

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Cmmr. Kamin requested Mr. Rutter to explain the type of equipment that is being installed.

Mr. Rutter gave details of the equipment. He described an above ground structure that would have different degrees of ramps that connect together.

Cmmr. Kamin requested Ms. Julianne Miljour, to address the involvement of the youth in the selection and design of the equipment.

Ms. Miljour commented that the mason county youth and their families had filled the Commissioners Chambers four years ago with the vision of a Skate Park. The original process was not successful and the vision resurfaced about two years later through a Shelton School District Community Youth Summit. The summit was created to look at the results of the adolescent health survey information. There was also a need to look at and identify after school recreation interests. The results were to make a Skate Park. She became involved through the summit. After attending a few of the meetings it was requested of her to chair the project. In May of 2002 an Advisory Committee was formed which consisted of city, county and school representatives. The purpose was to develop and oversee the project. In June of 2002 a Shelton Skate Park summit was held and over sixty youth and their parents attended. The purpose for the summit was to look at a park design, a preliminary cost analysis, and to look at a location study. After one year of meetings the design, cost analysis, and location study were presented to the Advisory Committee for their approval.

Ms. Miljour thanked the Board for their commitment, support, and assistance to the Skate Park, the project would not be where it is now. She also thanked them for listening and sharing the vision of the youth and their families to create the park.

She gave a special thanks to Mr. Rutter for his personal commitment, and his expertise that has moved the process forward. Ms. Miljour stated she is a drug prevention educator and director, but not a park developer, and could not have done this job with Mr. Rutter and his technical support.

Ms. Miljour then thanked County Administrator, Ron Henrickson for holding meetings between the County and City to work out the details of the project.

Ms. Miljour acknowledged and thanked her Board of Directors for sharing the vision as a county and seeing the need and giving her the time to work on the Skate Park project.

She ended by stating sixty plus youth will be meeting with her in the next couple of weeks and will celebrate and move forward with their fundraising projects. Ms. Miljour stated the youth could not attend today's meeting because they were in school, but they would be attending a Commissioner meeting to give their personal thanks.

Cmmr. Baze stated he appreciated her words and her dedication to the youth and the project. He acknowledged the amount of personal time she dedicated to ensuring the meetings were held in the evening when the youth could be present and making the vision a reality.

Cmmr. Johnson stated it is still very vivid of the many youth that came to the Commissioner meeting that set the project in motion. He thanked Ms. Miljour for her work.

Ms. Miljour stated many youth have been to her office asking when would the Park be built. She told one boy that it was coming this summer, he replied that "he loved her". She wanted to share that love with the Board.

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Cmmr. Kamin thanked Ms. Miljour and told her it had been very rewarding working with her for the past two years and with the committees. Commissioner Kamin said she remembered not being able to get in the doors at the Commissioner meeting the night the youth and their families attended. She also stated she remembered coming to another Commissioner meeting with Ms. Joan Zook, Ms. Miljour and herself, to present the concept and idea of joint partnership between the School District and the County. She thanked Ms. Miljour for her tenacious ability to keep everyone on track with the project.

Cmmr. Kamin/Baze moved and seconded to approve the bid award for the Mason County Skate Park equipment to the Northwest Ramp Builders in the amount of \$89,350 plus tax. Motion carried unanimously. K-aye; B-aye; J-aye.

- 11.3 Approval to award the bid for CRP 1235, Crestview Drive, to Bruch & Bruch Construction as apparent low bidder, for their bid amount of \$2,019,445.89. Bid opening was April 16, 2004. Staff: Bill Tabor stated the project was to realign and reconstruct approximately two miles of Crestview Drive, starting at the Agate store. Mr. Tabor stated eight bids were received, and announced each company and the amount submitted on the bid. He requested the bid award for CRP 1235, Crestview Drive, be given to Bruch & Bruch Construction for the amount of \$2,019,445.89.

Cmmr. Baze/Kamin moved and seconded to award the contract for CRP 1235, Crestview Drive, to Bruch & Bruch Construction, for the bid amount of \$ 2,019,445.89, and authorize the Chairperson to execute the contract and all other pertinent documentation. Motion carried unanimously. K-aye; J-aye; B-aye.

Cmmr. Kamin commented that the project has been long awaited and is grateful for the work the road crew, have put into the project. She also acknowledged the patience of the people in the community.

Cmmr. Johnson commented on the issues Ms. Mitchell raised relative to the cost factor, and acknowledged that the regulations have to be abided by.

Ms. Mitchell stated that the environmental impact statements don't take into consideration human safety. She stated that with the current condition of Crestview Drive the emergency drivers have to slow down which lengthens the response time, which could mean a person's life.

- 11.4 Announce decision on the review of proposed new development standards contained in the Mason County Resource Ordinance, Development Regulations, Title 15 Development Code, and Title 14 Building Code. The public hearing was held on April 13, 2004. Staff: Allan Borden

Cmmr. Johnson stated the comments that were received dealt with the building portion, and the Fire Marshall and the Fire Apparatus standards. Because of the comments received the Board has divided the decision into component parts that deal with each of them separately.

The first approval requested known as "aa" deals with addressing the prohibition of building in easements in Title 14 and remove the standards as easements occur along property line.

Cmmr. Kamin/Baze moved to approve Ordinance No. 30-04 as recommended by the Planning advisory Commission, which is known as development regulation amendment "aa", which eliminates the building department setbacks. Further move to have the chair sign findings of fact to support this decision. Motion carried unanimously. K-aye; J-aye; B-abstained. (Exhibit C)

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Cmmr. Johnson presented the second approval requested known as "bb", is recommended by the Fire Marshall and deals with Fire Apparatus standards.

Cmmr. Baze/Kamin move to approve Ordinance 31-04 as recommended by the Fire Marshall, which is known as development regulation amendment "bb", and which deals with Fire Apparatus standards. Further move to have the chair sign the findings of fact to support this decision. Motion carried unanimously. B-aye; K-aye; J-aye. (Exhibit D)

Cmmr. Johnson presented the third approval requested known as "n, o, r, and v" which deals with amendments to the Resource Ordinance, Title 15 and the development regulations.

Cmmr. Kamin/Baze move to approve Ordinance 32-04 as recommended by the Planning Advisory Commission, which is known as development regulation amendments "n, o, r, and v", and which deals with amendments to the Resource Ordinance, Title 15 and the development regulations. Further move to have the chair sign findings of fact support this decision. Motion carried unanimously. B-aye; K-aye; J-aye. (Exhibit E)

12. Administration

- 12.1 10:00 a.m. Executive Session – Legal Counsel
RCW 42.30.110 (1)(i)
Executive session began at 10:20 a.m. until 11:20 a.m. then continued until 11:40 a.m. The session was continued and will begin again at 3:00 p.m. The executive session reconvened at 3:00 p.m. then ended at 3:20 p.m.
- 12.2 Press Release – Groundbreaking Ceremony for the Mason County Skate Park. Staff: Mike Rutter commented that the concrete slab and the equipment contracts have been awarded and stated it is time to celebrate. Mr. Rutter presented the press release. The Groundbreaking Ceremony for the Mason County Skate Park will be held May 3, 2004 at noon, which will be located on between the Shelton Middle School and Wal-Mart parking lot adjacent to Kneeled Boulevard.

Cmmr. Kamin thanked Mr. Rutter for all his work and dedication to the project.

Mr. Rutter acknowledged that it took a team to bring the Skate Park to where it is now. He acknowledged that Mr. Ron Henrickson, County Administrator is responsible for a lot of what goes on behind the scenes. He forms teams and teams have results when they work together, which leads to other teams forming and working together with the many different groups and government entities that need to be involved in a project of this sort. Mr. Rutter also stated he is a taxpayer that lives in Mason County and he appreciates anything that is done for the youth. He commented that the location is in a very visible location, which will make the children and their parents feel safe. The local businesses in that area will also benefit from the youth buying skate boards and food while at the park. He feels the Skate Park is a win-win situation for the whole community.

Mr. Rutter thanked the Commissioners for approving and developing the Skate Park, and commented without them the Skate Park wouldn't be a reality.

Mr. Alan Borden commented that one advantage for the Skate Park in its location is the Mason Transit has a drop off and pick up at Wal-Mart. He believes that removes an obstruction to getting the youth to the park.

Cmmr. Johnson stated Mr. Borden's comment on the location would be a constant reminder that it is a cooperative effort to have a Mason County Park within the City of Shelton located on the Shelton School District property.

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Cmmr. Kamin asked Ms. Miljour if some of the youth that have participated throughout the planning process would be able to attend the Groundbreaking Ceremony.

Ms. Miljour replied that she would be discussing that possibility with Ms. Baldwin, the Middle School Principal. She stated it would not be an open invitation to all the students but definitely to the select youth that have participated in the project.

13. Adjournment - The meeting adjourned at 10:14 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Wesley E. Johnson, Chairperson

ATTEST:

Jayni L. Kamin, Commissioner

Rebecca S. Rogers, Clerk of the Board

Herb Baze, Commissioner