

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

APRIL 27, 2004

1. Call to Order – The meeting was called to order at 6:00 p.m. by Chairperson Wesley E. Johnson.
2. Pledge of Allegiance – The flag salute was led by Chairperson Johnson.
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 – Held for one week.
5. Board's Calendar –April 27 – May 4, 2004.
6. Correspondence and Organizational Business
  - 6.1 Correspondence
    - 6.1.1 Washington State Department of Social & Health Services informed about the passage of House Bill 3901, which allows elected officials of a county to choose not to use approved Food Assistance waivers. Acceptance of the waiver must be acknowledged by April 30, 2004.
    - 6.1.2 Frank J. Massett questioned about charges billed by Wave Broadband.
    - 6.1.3 The Port of Allyn commented on the requirements proposed by the county for their project.
    - 6.1.4 Washington State Department of Ecology announced that Jim Throckmorton has successfully completed the required training and examination as Mason County Water Conservancy Board commissioner.
    - 6.1.5 Arnold Fox requested the Board establish a board of community leadership to ensure grants and donations under Chapter 501-C.
    - 6.1.6 Washington State Department of Health invited the County to join with the City of Shelton as they receive an award for their commitment to providing safe and reliable drinking water on Monday, May 3, 2004.
    - 6.1.7 Concurrence letters from the Board of County Commissioners of Grays Harbor, Lewis, Pacific and Thurston Counties regarding the appointment of Peggy Meyer were received.
    - 6.1.8 Consolidated Notice of Public Hearings and Joint County Meeting before the Boards of County Commissioners for Grays Harbor, Lewis, Mason and Thurston counties on May 28,2004 at Rochester, WA to consider adopting the Chehalis Watershed Management Plan.
    - 6.1.9 Simpson Resource Company announced the change of their name to Green Diamond Resource Company, effective May 1, 2004.
  - 6.2 Future Fairgrounds Committee Report. Gretchen Stewart – Jankauskas, Fair Manager, submitted the vision statement from the Committee that the Mason County Fairgrounds of the Future will be a year-round, multi-use facility providing flexible meeting, exposition, animal husbandry and event space in a setting that unifies the citizens and reflects the history, rural character and pristine beauty of Mason County. She shared the dreams that the fairground would be easily accessible, better parking, improved restrooms with hot water. Covered seating for onsite functions and displays. A Museum building 2 ½ times the size of the present one, with restrooms and a meeting room. A multi-function building with kitchen and meetings space for meetings of differing sizes.

The Board thanked Gretchen Stewart for her leadership and completion of the report by the Future Fairgrounds Committee.
  - 6.3 Proclamation – White Cane Days. Pat Jaques, Shelton Lions, recommended the Board proclaim April 30 & May 1 as Lions White Cane Days in Mason County to urge citizens to join in recognizing the years of dedication and commitment of the Lions Club to sight conservation and restoration to improve the quality of life blind and sight-challenged individuals within the state.

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**Cmmr. Baze/Kamin moved and seconded to proclaim April 30 & May 1, 2004 as Lions White Cane Days in Mason County. Motion carried unanimously. B-aye; J-aye; K-aye.**

6.4 Press Release - Belfair SR 3 Project – Chairperson Wesley Johnson read aloud a three page Open Letter to the Belfair Community and Citizens of Mason County concerning the position of the Board of County Commissioners regarding the proposed Belfair SR3 project and associated costs. He concluded that the Commissioners believe major capital projects, like the SR3 project, deserve and require full public disclosure and discussion. This project will create a new future for Belfair, job for citizens, new housing, improved water quality and is good for Mason County.

7. Open Forum for Citizen Input – Jan Ward, Union, Washington. She referred to the Board’s discussion, a couple of weeks ago, on the prohibition of building in easements (Title 14). She has dealt with 17.5 months of dealing with a stop work order starting a problem. She asked the Board how they came to their decision on this issue.

Cmmr. Baze stated they did not eliminate the prohibition. They removed the County’s Hearing Examiner out of the process. They were finding that when issues of building within easements came before the County Hearings Examiner it would end up being appealed to Superior Court. The Commissioners took the Hearings Examiner out of this process saving everyone money and time. If there is an issue of someone building within an easement it would have to be a civil issue and go directly to Superior Court.

Deputy Prosecutor Darren Nienaber stated that the regulation said it is unreasonable to build within an easement. The problem the County was facing was having to regulate private property disputes between owners. One of the consequences was that a lot of landowners have drainage and utility easements around boundary lines. The discussion was the County should not be policing private rights of easements and that is something that would ordinarily be determined by the courts. A court would decide if the structure is an unreasonable interference with the easement.

8. Adoption of Agenda – **Cmmr. Kamin/Baze 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 for the Facilities & Grounds Director to call for bids for asphalt paving and stormwater control to bring the Mason County parking lot at 6<sup>th</sup> & Alder up to City of Shelton parking standards. Bid opening to be Thursday, May 20, 2004 at 3:00 p.m.

9.2 Approval to appoint Leroy Valley as a member to the Transportation Improvement Program Citizens Advisory Program (TIP-CAP)

9.3 Approval for Public Works to advertise, interview and hire an Administrative Assistant to fill a position that will be vacated.

9.4 Approval for Public Works to purchase a surplus office trailer from Washington State surplus for \$3,500 to be used by the road crew for storage space for work clothes and foul weather gear.

9.5 Moved to 11.1

9.6 No objection to Liquor License Applications: 1) Special Occasion - Name: Huerfanitos Internacionales; Date: May 8, 2004; Time: 10 am - 2 am; Place: Fairgrounds; 2) Special Occasion - Name: Allyn Community Association; Date: July 17, 2004; Time: 10 am - 9 pm; Place: Allyn Waterfront Park; 3) New Application: Tradename: Lefties Pub & Eatery; Applicants: Lefties, LLC Wendy L Salazar, Samuel Salzar, Kim A & Michael W. Thompson; Privileges Applied For: Spirits/Beer/Wine Rest Lounge.

9.7 Approval of Warrants

Claims Clearing Fund 70837-71084	\$430,915.48
Salary Clearing Fund 138877-138879	\$1,254.13

9.8 Approval of extension of leave of absence for Connie Woodyard, effective April 1, 2004 through April 1, 2005, serving on the Thurston-Mason Regional Support Network Mental Health Advisory Board.

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- 9.9 Approval of Veterans Assistance Fund applications for: Steven Avery - housing \$400.00; Larry L. Anderson - utilities \$92.74; Bobby L. Gullotto - housing \$400.00; Allen Brownawell - utilities \$340.80; James C. Mustain - housing \$400.00; Robert Ramar - utilities \$142.00; Martin T. Triplett - utilities \$400.00; and Larry M. Tunno - utilities \$119.63 for a total of \$2,295.17.
- 9.10 Set a public hearing on Tuesday, May 11, 2004 at 9:30 a.m. to consider an amendment to the Mason County Development Regulations, revising Section 1.04.200 Rural Residential zone provisions on side yard setbacks for residential development; a proposed exception to the standard set back would be based on lot width.
- 9.11 Approval of a resolution appointing William J. Tabor as Acting-Public Works Director/County Road Engineer for an interim period, not to exceed six months. **Resolution No. 33-04 (Exhibit A)**

**Cmmr. Baze/Kamin moved and seconded to approve consent agenda items 9.1 – 9.4 and 9.6 – 9.11 as read. Motion carried unanimously. B-aye; J-aye; K-aye.**

10. 6:30 p.m. Public Hearings and Items Set for a Certain Time - None

11. Other Business (Department Heads and Elected Officials)

- 11.1 Approval of an administrative settlement in the amount of \$7,600 for parcels 1381-96140-33, 1381-96140-35, and 1381-96140-38 on CRP 1380, Grapeview Loop Road project.

Bill Tabor, Acting-Public Works Director/County Road Engineer, explained that this is an administrative settlement on the Nelson property. Mason County, through its right-of-way acquisition consultants, Skillings- Connolly has been in negotiation to purchase the required right-of-way for the above noted parcels. The County made an offer on April 22, 2004 to the Nelsons in the amount of \$18,400 which was a break down of \$14,000 for 0.24 acres of land, \$3,300 for loss of landscaping and \$800.00 in damages to move a sign and planter. A counter offer of \$33,600 was received for an addition \$7,6000 for the parcels for a total of \$26,000. It was requested the board approve this amount.

Mick Sprouffske, Public Works Right-of-Way Agent, explained that the counter offer meets the applicant halfway to end negotiations and avoid any condemnation type actions.

The Board questioned how many parcels were involved in this project.

Mr. Sprouffske stated they purchased right-of-way from approximately 135 parcels and dealt over all with 175 parcels.

The Board expressed their appreciation to Mr. Sprouffske for his work in acquisition of the right-of-way.

Mr. Sprouffske clarified the parcel numbers are project parcel numbers and not tax parcel numbers.

The Board thanked Bill. Tabor for accepting the interim position of Public Works Director.

**Cmmr. Kamin/Baze moved and seconded to approve an administrative settlement in the amount of \$7,600 for project parcel numbers 1381-96140-33, 1381-96140-35, and 1381-96140-38 on CRP 1380, Grapeview Loop Road. Motion carried unanimously. B-aye; J-aye; K-aye.**

12. Administration - None

13. Adjournment - The meeting adjourned at 6:55 pm

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BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

\_\_\_\_\_  
Wesley E. Johnson, Chairperson

ATTEST:

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Jayni L. Kamin, Commissioner

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Rebecca S. Rogers, Clerk of the Board

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Herb Baze, Commissioner