

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

MAY 4, 2004

1. Call to Order – The meeting was called to order at 9:02 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 – **Cmmr. Kamin/Baze moved and seconded to approve the regular meeting minutes of March 9, 2004 and April 13 & 20, 2004. Motion carried unanimously. B-aye; J-aye; K-aye.**
5. Board's Calendar for week of May 4 – 11, 2004.
6. Correspondence and Organizational Business
 - 6.1 Correspondence
 - 6.1.1 Received notification that the Washington State Board of Geographic Names has approved the spelling clarification on the name of Schumacher Creek, located in Mason County.
 - 6.1.2 Loren A. Cochran requested the County create and place a sign on Cloquallum Road that reads "Please Drive Carefully" and "In Memory of Matthew Saeger" who was struck and killed by a hit-and run automobile.
 - 6.1.3 The American Legion Post No. 31 and VFW Post 1694 invited the Commissioners to attend a breakfast and short program on May 29, 2004 to view the dedication of the WW2 veterans to be televised on the History Channel.
 - 6.1.4 Mason County Association of REALTORS submitted their comments on the Belfair Sub-Area Plan. (full copy with attachments with Clerk)
 - 6.1.5 Letter from Richard Knight objecting to the petition for vacation of portions of Sullivan Street, Scarritt Street, Kaufman Street, and Wheelwright Street within the Plat of Allyn, as requested by Ronald Griffey.
 - 6.2 Report on the Health of Mason County Water Resources. Kim Klint representing Mason County community shared the findings of the first report on the health of Mason County water resources. In 2002 Mason Matters had included water quality on the 2001-2003 work plan. It was a tier two health issue that was identified through a community process back in 1999. They brought together a work group representing the higher education, local schools, state and local government, businesses, service organizations and local citizen groups and together made a decision to create a regular report on the health of Mason County water resources. The report is broken down into four areas: 1) safe drinking water for life; the goal is to increase the number of households in Mason County testing the quality of their drinking water on a regular basis; 2) marine water resources for a healthy economy; the goal is to increase the number of acres available for recreational and commercial shellfish harvesting in Mason County; 3) river and streams for a healthy community; the goal is to develop and implement clean-up plans for all 303(d) listings with no new additions to list; and 4) lake resources for recreation and leisure; the goal is to reduce the number of lakes negatively impacted by algae and aquatic weed growth. This report is at Mason Matters website at www.masonmatters.org.

She thanked four people from the state who have worked in collecting the data: David Preston and Sandy Brentlinger, Department of Health/Drinking Water Program; Wayne Clifford, formerly Department of Health Shellfish Program; and Chris Hempleton, Department of Ecology.

Diane Cooper, Mason Matters Board Member, and Taylor Shellfish, stated that the process they went through to create the report and collate the data was a community based effort which took a long time. From the perspective of the shellfish industry it is heartening to have the community be so supportive of the industry. It shows that economic development and preservation of the quality of the environment are not exclusive goals. She thanked the community at large and the board for recognizing that.

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Stuart Glasoe, Puget Sound Action Team, thanked the Mason Matters organization and all the community members who contributed to devoting the attention to these issues. They think it is important to plan, act on plans, evaluate how they are doing, make changes as necessary, and report to people on the progress. It does stress the connection between environmental protection and economic prosperity which are compatible.

The Board also expressed thanks to Kim Klint, Mason Matters, and all the community members who were involved in this study. Community education is very important.

It was noted that there is a link for Mason Matters from the County's website.

- 6.3 Report on Free Dump Day. Tom Moore, Utilities & Waste Management, reported that Mason County and the City of Shelton held a Spring Cleanup from April 12 through April 23 with a Free Dump Day on April 24. He noted that the Spring Cleanup resulted in the collection and disposal of a little over 91 tons of solid waste. Recycled materials totaled 510 tons consisting of brush and woody debris, tires, and metals including 255 hulk automobiles. There were 584 participating households.

The Free Dump Day collected just under 151 tons of material for disposal and recycling. This includes 463 waste tires and 246 miscellaneous items such as mattresses, over stuffed furniture, and appliances. There were 350 participating households served during the day. If the materials were charged usual disposal fees the receipts would have totaled \$13,496.49. Donations to the Mason County Food Bank totaled \$450.00 in cash and 400 pounds of canned foods.

The Board gave thanks to the crew for the long weekend.

7. Open Forum for Citizen Input – Ray Hansen referred to the report from the Fairgrounds Committee. He asked how the property acquisition is coming on a new fairgrounds.

The Board noted that they have not signed any contracts. They are still investigating what the options are and where the county can move. The Board noted they want to make sure they have all the options on the table. They want to make a decision soon, but want to make the right decisions for the whole community.

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 No objection to Liquor License Applications: 1) Special Occasion – Shelton-Mason County Chamber of Commerce; Date: May 19, 20, 2004; Time: 8 am – 11 pm; Place: The Pavilion at Sentry Park, Shelton; 2) Special Occasion – Back Country Horseman of Washington; Date/Time: July 23-24, 2004; 10 am – 10 pm; July 25, 2004; 10 am – 5 pm; Place: Rodeo Grounds, Shelton.
- 9.2 Approval of Veterans Assistance Fund applications for: Leonard E. Wilford – food \$200.00; Michael Ong – housing \$400.00 for a total of \$600.00.
- 9.3 Approval of a Supplemental Agreement between Mason County and AFSCME Local 1504 to implement a restructuring of job classes in the Elections, Licensing and Recording sections of the Auditor's Office
- 9.4 Approval of a Letter of Understanding between Mason County and Teamsters Local 252 (Appraisers bargaining unit) adding the job class of GIS Technician to the Appraisers bargaining unit.
- 9.5 Approval of the amendment to Scope of Work of contract between Mason County Aspect Consulting to add a Scope B, for \$73,190 to provide stream flow and fish passage data to the WRIA 16 Planning Unit for the purpose of developing instream flow data.

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- 9.6 Approval of letter to Department of Social and Health Services stating Mason County chooses to not accept the waiver for the Able-bodied Adults Without Dependents (ADAWDs) program.
- 9.7 Approval of Warrants
Claims Clearing Fund 71085-71518 \$302,207.12
- 9.8 Approval of the contract with Northwest Ramp Builders LLC for the Mason County Skate Park. The contract amount is \$89,350.00
- 9.9 Approval of the contract with Rognlin's Inc. for the concrete slab at the Mason County Skate Park. The contract amount is \$73,825.00.
- 9.10 Approve and execute the revision to the 2004-2009 Six Year Road program and the 2004 Annual Construction Program to reflect the reallocation of funds from minor construction (reduce funding from \$300,000 to \$50,000) to the Belfair SR3 Urban Improvement Project (increase funding from \$50,000 to \$300,000) **Resolution Nos. 36-04 & 35-04, respectively. (Exhibit C & B)**

Cmmr. Kamin/Baze moved and seconded to approve 9.1 through 9.10 as presented. Motion carried unanimously. B-aye; J-aye; K-aye.

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

- 10.1 Approval to set a public hearing at 9:30 a.m. on May 4, 2004, to consider amendments 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.

Allan Borden, Planner, explained that the revision is one of several amendments that have been reviewed in 2003/2004 to address issues or problems in land use or permit review by the Department of Community Development. The purpose of the Mason County Code Title 16 Plats and Subdivisions is to regulate the subdivision of land and make appropriate provisions for public health, safety and general welfare; and for other services and design requirements in the division of land in Mason County.

One of the provisions in Title 16 requires road standards for large lot subdivisions. It calls for all lots proposed in the large lot subdivision would have proper access that was served by an internal road with one point of access to a county road. This provision is intended to limit access points on high volume county roads and enhance public safety in that area. Currently, if an applicant applies for a variance to modify the one access point standard, that variance process takes two months or longer. It is heard by the Hearings Examiner and adds to the cost of the large lot subdivision.

Changes in Title 16 are proposed to provide some relief to applicants proposing road access to large lot subdivisions.

16.38.022 Roads. Because of the requirements that proposed lots shall not have direct access to any County arterial road, . . . When factors such as traffic, physical constraints, or location of critical area are present, this provision on access may be modified (more than one access point allowed) upon the approval of the Director.

The Planning Advisory Commission reviewed the proposal and made a recommendation to approve the ordinance text change.

Chairperson Johnson asked what the thinking was initially when it was limited to a single access point to a county road.

Mr. Borden stated typically a large lot subdivision (five acres or more) requires the division of a fairly large piece of property (300 acres or larger). There have been smaller properties divided under large

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lot subdivision. With the division of land the County did not want to have a whole group of access roads entering the county roads. The idea was to consolidate them into loop road to bring all the accesses to one access point.

Since the county has adopted a lot of critical area ordinances there is a lot of potential impact for having to cross critical areas such as streams and wetlands. If the critical area cuts diagonally across the subject large property a person would have to cross the critical area. It still will require, whether the proposed access will present a traffic hazard.

It is anticipated when the notice for a large lot subdivision is posted on site there will be a notation that the applicant proposes two access points on a county road and the Public Works Director will be reviewing.

No public comment.

Cmmr. Kamin noted that this is a good example of working through the Planning Department to rectify some potential road blocks towards getting the road systems developed in the large lot subdivisions.

Chairperson Johnson commented that it provides an additional option.

Cmmr. Baze/Kamin moved and seconded that the Board of County Commissioners adopt the recommendations of the Planning Advisory Commission to approve the proposed amendment to Mason County Code Title 16 Plats and Subdivisions Sec. 16.38.022c, regarding the administrative review of more than one access point onto a county arterial or collector road, and move that the chair sign the Findings of Fact for this decision. Motion carried unanimously. B-aye; J-aye K-aye. Ordinance No. 34-04 (Exhibit A)

- 10.2 Public hearing to consider Road Vacation #327, vacate portions of Sullivan Street, Scarritt Street, Kaufman Street, and Wheelwright Street within the Plat of Allyn, as requested by Ronald Griffey.

Mick Sprouffske, Public Works Right-of-Way Agent, handed out exhibit maps to the Board and deputy prosecuting attorney. He noted that the area in green is proposed to be vacated; the area in yellow has been previously vacated. The proposed vacation is near SR3. They are small private gravel roads which were never brought into the county road system. The Public Works Department has reviewed the public rights-of-way and found them to be unopened platted right-of-way established in 1889 and were vacated by action of law (1905). It was recommended the Board approve the petition for vacation as requested, subject to any existing easements of record and existing utilities.

The court case in 1955 mandated that the process is required to clear title and recognize the vacation by operation of law.

Chairperson Johnson asked if the streets exist as lines on a map or if there were indicators on the ground.

Mr. Sprouffske stated that they exist as lines on a map. On a portion of Sullivan Street there is a driveway that meanders within the approximate limits of the right-of-way lines. Evidence found on the ground and historic photos indicate there was never a road opened as a public roadway.

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Cmmr. Baze noted that Richard Knight's letter suggests there may have been public right-of-way opened at one time.

The board reviewed the map out of the proposed vacation.

Mr. Sprouffske stated the streets have never been opened and are not currently open. They relied on a 1944 aerial photograph. Clearly, the area is timbered and no development or indication of any roads.

Cmmr. Baze asked if the County were to need a road route system that included any of these roads which are being considered for vacation, what would be the process. Would the county need to repurchase the roads.

Mr. Sprouffske stated the roads were vacated by operation of law and the County would need to acquire right-of-way. The public has the right through the operation of law to go to the court and have them vacated.

Deputy Prosecutor Darren Nienaber clarified that this is a process for clearing title. The public road aspect was vacated over 90 years ago. In terms of the County's road rights the roads have not existed as part of the county road system.

No public comments received.

The Board acknowledged that Richard Knight as a private citizen objected to the vacation.

Cmmr. Kamin noted that this is actually a formality as the road was vacated by operation of law.

Cmmr. Baze/Kamin moved and seconded that the Board vacate Road Vacation File No. 327 as requested, subject to any existing easements of record and existing utilities. Motion carried unanimously. B-aye; J-aye; K-aye.

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

12. Administration - None

13. Adjournment - The meeting adjourned at 10:03 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