

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

MAY 11, 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 – 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 – **Cmmr. Kamin/Baze moved and seconded to approve the regular meeting minutes of April 27, 2004 and briefing minutes of April 5, 12, 13, 19, 20, and 26, 2004. Motion carried unanimously. B-aye; J-aye; K-aye.**
5. Board's Calendar for week of May 11 – 18, 2004.
6. Correspondence and Organizational Business
  - 6.1 Correspondence
    - 6.1.1 Received an application from Ted Smethers to serve on the Belfair SR3 Special Road Project Advisory Committee.
    - 6.1.2 Request for rezone from RR10 to RR5 was received from Robert & Carole Seymour. (Copy forwarded to Community Development/Planning)
    - 6.1.3 Ole & Shirley Snoer requested assistance in addressing flooding of the Caldevin Creek in Tahuya. (Copy forwarded to Community Development/Planning)
    - 6.1.4 Jerry Richert expressed that the diking district for the Skokomish River drainage basin should be formed under RCW 85.05.
    - 6.1.5 Ray Hanson inquired about the county administrator position and free holders method of government.
    - 6.1.6 YMCA of Grays Harbor has written requesting assistance in refunding or waiving the additional plan check fees on their project in Mason County. (Copy to Community Development)
    - 6.1.7 WalMart Community Affairs announced that their company has been named *Fortune* magazine's "Most Admired Company in America" for the second consecutive year.
  - 6.2 The Board noted that they have invited the Squaxin Island Tribe to be a participant in the Mason County Drug Court and the one year anniversary being celebrated.

Jim Sawyer Mason County Superior Court Judge/Drug Court Judge expressed appreciation for the Squaxin Island Tribe's financial support. They have been participants in the Drug Court and the Steering Committee. It is nice to have community support for projects like this as federal funds are limited.

Squaxin Island Tribe Chairman Dave Lopeman expressed that it is a concern on the reservation as well as in the county at large. Ray Peters and Dave Lopeman presented Mason County with a \$15,000 check on behalf of the Squaxin Island Tribe to help fund the drug court.

The Board thanked the Squaxin Island Tribe and explained that the \$15,000 check will be used 100% for drug court/drug treatment. None of the funds will go to administration or any other fees the county charges.

Harris Haertel, Juvenile Court Administrator/Drug Court Coordinator, also thanked the Tribe for the partnership with the County in the Drug Court which is now one year old. The change in the participants from not hopeful to very enthusiastic in embracing recovery and changing their role in the community.

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

The Board commended Cmmr. Baze for his efforts in the Drug Court and developing the partnership with the Tribe. It is just a year old and there are 11 participants. It is a program which the County is proud of and was established after the federal drug court model. It is held on Wednesday at 4 pm in Superior Court Courtroom.

- 6.3 Press Release – Ron Henrickson, County Administrator, announced that the Board is seeking applicants to serve on the Belfair SR3 Special Road Project Advisory Committee. May 28, 2004 is the deadline for applications to be submitted.
  - 6.4 Press Release – Cmmr. Kamin stated that the County is seeking an individual to fill a citizen-at-large position on the Lodging Tax Advisory Committee. The term will expire in March 2005. Applications will be accepted until May 28, 2004.
  - 6.5 Press Release – Doug Micheau, Director of Utilities & Waste Management, announced that compost bins which normally sell for \$60.00 are available at \$15.00 each. County residents can order bins through the Utilities & Waste Management Department by May 21. Bins which measure 40” h X 23” w X 23”l will be available in June.
  - 6.6 Dave Loser, Equipment Rental & Revolving Fund Director, announced that Olympic Heating & Cooling of Shelton was awarded the post for quotes for the heating system at the Belfair Road Shop in the amount of \$3,171.96 plus tax.
7. Open Forum for Citizen Input - None
  8. Adoption of Agenda – **Cmmr. Baze/Kamin moved and seconded to adopt the agenda with addition of 9.14 with assumption of liquor license. Motion carried unanimously. B-aye; J-aye; K-aye.**
  9. Approval of Consent Agenda:
    - 9.1 Approval to reappoint Dennie Ross to the Board of Equalization for a three-year term ending June 30, 2007 and appoint Claudia Housley as alternate to the Board of Equalization for a three-year term ending June 30, 2007.
    - 9.2 Approval of a letter of request to the Mason Conservation District for assistance preparing a Salmon Recovery Funding Board grant for property acquisition in the Skokomish River Valley.
    - 9.3 Approval to authorize the chair to execute the grant application for a \$110,000 grant from the Department of Social and Health Services, Division of Alcohol and Substance Abuse for the Drug Court Program.
    - 9.4 Approval to set a public hearing on Friday, May 29, 2004 at 9:00 a.m. at the Chehalis Room of the Lucky Eagle, 12888 188<sup>th</sup> Avenue SW, Rochester, WA. The joint hearing and meeting of the Thurston, Lewis, Mason, and Grays Harbor County Commissioners is to receive comment and to consider adopting the Chehalis Watershed Management Plan.
    - 9.5 Approval to appoint Mary Jo Cady to the Pacific Mountain Workforce Development Council as a Mason County representative to fill a vacant position that will expire in December, 2004.
    - 9.6 Approval for Human Resources to post-for-quotes for an executive search firm to assist in the recruitment for a Public Works Director/County Engineer.
    - 9.7 Approval of Veterans Assistance Fund applications for: Jesse R. Johnson – housing \$345.84 and Danya Tallett – housing \$400.00 for a total of \$745.84.
    - 9.8 Approval of Warrants

Claims Clearing Fund	71519-71664	\$385,987.41
Salary Clearing Fund	139338-139606	\$25,152.62
    - 9.9 Approval of the revision to CRP 1772, Tahuya River Drive (culvert installation at MP .85) and the approval of CRP 1828, Tahuya River Drive (culvert installation at MP 1.17) **Resolution Nos. 37-04 & 38-04 (Exhibits A & B)**
    - 9.10 Approval of a resolution to condemn certain property within Mason County for public use, specifically CRP 1720, Satsop-Cloquallum Road. This is a portion of tax parcel 61928 41 00000. **Resolution No. 39-04 (Exhibit C)**

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS  
MAY 11, 2004 - PAGE 3**

- 9.11 Approval for the ER&R Manager to purchase one new John Deere tractor with Tiger brush cutter from the Washington State Contract. The estimated cost is \$96,000.
- 9.12 Approval of a resolution setting a public hearing on May 25, 2004 at 6:30 p.m. to consider a supplemental appropriation to the 2004 budget for the Narcotics Investigation Fund in the estimated amount of \$59,000. **Resolution No. 41-04 (Exhibit E)**
- 9.13 Approval of a budget transfer memo for the Department of Community Development retitling a clerical position to Permit Technician, placing all Permit Technicians under Administration rather than Building and adding a Planning Intern, all within the existing expenditure budget.
- 9.14 No objection to assumption of liquor license application from Keith W. Dahl to Mike Sheets for the Alderbrook Country Store:

**Cmmr. Kamin/Baze moved and seconded to approve consent agenda, Items 9.1 through 9.14, 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 Public hearing to consider Road Vacation #326 to vacate portions of Atwater, Congress, Crogan Griswold, Mecklem, Woodbridge & Randolph Avenues; Portions of 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> Streets within the Plat of Detroit #2 as requested by Jurgens Enterprises, Inc. and James Bianchi.

Bill Bullock, Public Works, explained that the right-of-way petitioned for vacation in Grapeview are small private gravel roads which were never brought into the county road system.

They show no evidence of having been opened as a county road. The rights-of-way were likely vacated by operation of law and they do not appear to landlock any property owners.

Chairperson Johnson asked Mr. Bullock to explain the operation of law which vacates right-of-way.

Mr. Bullock noted that there is a 1905 Washington State Law which states that if a plat created prior to 1905 has right-of-ways dedicated to the County and if not constructed and brought in to the County road system within five years, they were vacated back to the adjacent property owners.

The board questioned about the possibility of similar like properties within the county that were vacated by operation of law.

Mr. Bullock responded, yes, they have a list of plats which were created before 1905 and have the potential to have some right-of-way which were vacated by action of law.

To initiate the process it would require an individual to fill out a petition to vacate the right-of-way and "clear the title."

No public comment was received.

**Cmmr. Baze/Kamin moved and seconded that Vacation File No. 326 be approved as requested, subject to any existing easements of record and existing utilities. Motion carried unanimously. B-aye; J-aye; K-aye. Order of Vacation (Exhibit F)**

- 10.2 Public hearing 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 setback would be based on lot width.

Allan Borden, Planner, explained that the Mason County Development Regulations (Ordinance No. 82-96) provides the land use guidelines and development standards for land development in

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS  
MAY 11, 2004 - PAGE 4**

compliance with the Mason County Comprehensive Plan. The side yard setback standard was established to locate new development in the Rural Area with adequate separation from adjacent properties and land uses, and to maintain the nature of low intensity development away from the urban and more intensely developed areas.

They proposed to add the phrase "at the building site" and delete the phrase "and a lot up to 1 acre" for the side yard and rear yard standard in each of the Rural Residential zones. This was due to the concerns for meeting the double qualifier. Property owners with narrow width by lot size greater than one acre could have more flexibility.

Daniel Todd voiced support of the Community Development and Commissions findings. He stated he was one of the properties affected by the side yard setbacks. The language change would permit a lot of home builders to proceed with their projects.

Ray Hanson asked if there is a minimum width of separation.

The Board interjected that the minimum setback is five feet on each lot.

The public testimony was closed.

**Cmmr. Kamin/Baze moved and seconded that the Board of County Commissioners, in support of the recommendations of the Planning Advisory Commission, adopt Ordinance No. 40-04, which amends the Mason County Development Regulations Section 1.04.200 Rural Residential zone provisions on side yard setbacks for residential development, and move that the chair sign the Findings of Fact for this decision. Motion carried unanimously. B-aye; J-aye; K-aye. Ordinance No. 40-04 (Exhibit D)**

11. Other Business (Department Heads and Elected Officials)

- 11.1 Bid award for Emulsified Asphalt for 2004. Recommendation is to accept all bids received however Mason County does not guarantee a minimum purchase of these materials. Bids were received from U.S. Oil & Refining Co. of Tacoma, WA for only CRS II P emulsion; Albina Asphalt of Portland, OR bid all products except for STE 1 emulsion.

Dave Loser, Equipment Rental & Revolving Fund Manager, noted that they were authorized to call for bids on April 13, 2004. They opened bids on May 7, 2004. Two bids were received: US Oil & Refining Co of Tacoma, WA and Albina Asphalt of Portland, OR. It was recommended that the Board award to both bidders.

**Cmmr. Baze/Kamin moved the Board of County Commissioners accept all bids received to provide Mason County with emulsified asphalt for the calendar year 2004. However, Mason County does not guarantee a minimum purchase of these materials. Motion carried unanimously. B-aye; J-aye; K-aye.**

- 11.2 Bid award for CRP 1598, Skookum Creek Bridge (Old Olympic Highway) to C.W. Williams Construction Company as apparent low bidder in the amount of \$586,901.33. Staff: Bill Tabor  
REMOVED FROM AGENDA

- 11.3 Bid award for CRP 1789, Old Olympic Highway to Scarsella Brothers, Inc as apparent low bidder in the amount of \$2,094,166.45.

Bill Tabor, Acting Public Works Director, noted that seven bids were received ranging from \$2,659,059.10 to \$2,094,166.45. The engineer's estimate was \$2,309,188.50.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS  
MAY 11, 2004 - PAGE 5**

**Cmmr. Kamin/Baze moved and seconded the Board award the contract for CRP 1789, Old Olympic Highway, to Scarsella Brothers, Inc. for their bid amount of \$2,094,166.45, and authorize the Chairperson to execute the contract and all other pertinent documentation. Motion carried unanimously. B-aye; J-aye; K-aye.**

- 11.4 Bid award for the 2004 A/C Paving Program to Wilder Construction as apparent low bidder in the amount of \$234,184.50.

Mr. Bill Tabor stated there were three bids received on May 7, 2004 ranging in price from \$234,184.50 up to \$269,785.75. The engineer's estimate was \$245,678.55. It was recommended the Board award to the low bidder Wilder Construction in the amount of \$234,184.50

**Cmmr. Baze/Kamin moved and seconded the Board award the contact for the 2004 A/C paving program to Wilder Construction for their bid amount of \$234,184.50, and authorize the chairperson to execute the contract and all other pertinent documentation. Motion carried unanimously. B-aye; J-aye; K-aye.**

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