

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

JULY 6, 2004

1. Call to Order – The meeting was called to order at 9:00 a.m. by Acting Chairperson Herb Baze at 9:01 a.m.
2. Pledge of Allegiance – The flag salute was led by the Acting Chairperson.
3. Roll Call – Present: Cmmr. Dist.1 –Herb Baze; Cmmr. Dist. 3 – Jayni L. Kamin; Absent: Cmmr. Dist. 2 - Wesley E. Johnson (attending Washington State Shorelines Hearings Board)
4. Approval of Minutes – **Cmmr. Kamin/Baze moved and seconded to approve the regular meeting minutes of June 22, 2004 and briefing minutes of June 14 and 15. Motion carried unanimously. B-aye; J-absent; K-aye.**
5. Board's Calendar for week of July 6 – 13.
6. Correspondence and Organizational Business
  - 6.1 Correspondence
    - 6.1.1 The Saints' Pantry thanked the County (Utilities & Waste Management) for the food and donations received on the Free Dump Day.
    - 6.1.2 Planning Advisory Commission applicant: Tim Wing
    - 6.1.3 Olympic Region Clean Air Agency submitted a contribution statement for 2005 totaling \$15,629. (Copy to Budget & Finance)
    - 6.1.4 Manke Lumber Company, Inc. has requested a retraction of portions of Rezone Request No. 02-13B. (Copy to Community Development/Planning)
  - 6.2 Announcement that Public Works is advertising their annual notice inviting contractors to apply for placement on the Small Works Roster.

Bill Tabor, Acting Public Works Director, explained that annually they invite contractors to apply for placement on the Small Works Roster. There is no deadline for placement on the Small Works Roster. Contractors will be added at any time they fill out and submit the form provided by Public Works, providing the necessary records/information.
  - 6.3 Mr. Tabor introduced Robin Bodin who was recently hired to fill the Administrative Assistant position when Sharon Vaughan retires from Department of Public Works.
7. Open Forum for Citizen Input
  - 7.1 Bob Allen, Port of Grapeview Commissioner, asked that the Board, in the future, provide a 30-day notice to those entities that are eligible for .08 funds to allow time for response.
  - 7.2 Phyllis Antonsen expressed her frustration with the safety concerns associated by fireworks. She felt there was excessive fireworks displays. When asking about what type of fireworks are allowed, she was informed that only sparklers are permissible fireworks and nothing that made noise or blew up in the air were legal. She asked that prior to any other fireworks displays, there should be regulations. She asked that the County ban fireworks as they can terrorize people for several days.

The Board responded that this is a problem statewide.
  - 7.3 Charles Hancuff also voiced his concern for safety with the fireworks. He felt the safe thing is to enforce rules that are present.

The Board noted that there is a movement to have more community fireworks displays to discourage people from shooting them off in their neighborhood.

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8. Adoption of Agenda – **Cmmr. Kamin/Baze moved and seconded to adopt the agenda as presented. Motion carried unanimously. B-aye; J-absent; K-aye.**
9. Approval of Consent Agenda:
  - 9.1 Approval of the resolution for the distribution of the PUD Excise Tax. The City of Shelton will receive \$64,964.48 and Mason County Current Expense will receive \$384,589.26, per RCW 54.28.090.  
**Resolution No. 56-04 (Exhibit A)**
  - 9.2 Approval of the Supplemental Agreement to the labor agreement between Mason County and AFSCME Local 1504 which changes the title of two job classifications in the Auditor's Office.
  - 9.3 Approval of an agreement modification to the labor agreement between Mason County and Teamsters Local 252 (Personal Health unit) which provides for participation in the Western Conference of Teamsters Pension Plan and reduces wages in the amount necessary to pay the pension plan premium contribution; and an Employer-Union Pension Certification between Mason County, Teamsters Local 252 (Personal Health unit) and the Western Conference of Teamsters Pension Plan.
  - 9.4 Approval to sign a letter authorizing Doug Micheau or Ron Henrickson to sign on behalf of Mason County with regards to the United States Department of Agriculture CREP program.
  - 9.5 Approval of the equipment contract with Northwest Ramp Builders LLC in the amount of \$89,350 for the Mason County Skate Park.
  - 9.6 Approval of Local Economic Development Program Application for the Hoodspout Sewer Facility Plan for a \$25,000 appropriation from the Mason County Distressed Area Capital Fund (.08).
  - 9.7 Approval of Change Order #1 for the Mason County Skate Park Concrete Slab in the amount of \$13,001.00. The Change Order includes revisions to the irrigation system, minor changes to chain link fence configuration, install 48 inch walkway, add new 48 inch gates and widen chain link fence opening.
  - 9.8 Approval of an agreement between Washington State Department of Ecology and Mason County in the form of Grant No. G0400366 for a Multipurpose Storage Grant, WRIA 14.
  - 9.9 Approval of a memorandum of understanding between the City of Shelton and Mason County on a ground water storage assessment project for WRIA 14, associated with G0400366 Multipurpose Storage Grant.
  - 9.10 Approval of an amendment to Ecology Grant No. G0300042 between the Department of Ecology and Mason County to provide WRIA 14 additional funding for Instream Flow Supplemental B work for \$72,748 and an additional \$1,000 for existing Task A. The total grant amount under the amended agreement will not exceed \$87,348.
  - 9.11 Approval of a contract amendment between Northwest Land and Water, consultants and Mason County to further study WRIA 14 hydrogeological characteristics and instream flow for a cost for an additional \$72,748.
  - 9.12 Approval of the Interlocal Agreement between Mason County and City of Shelton for BST surfacing of City of Shelton streets.
  - 9.13 Approval of CRP 1829, Skokomish Valley Road for preliminary engineering and right of way acquisition toward future realignment and reconstruction of Hunter Creek Bridge. **Resolution No. 57-04 (Exhibit B)**
  - 9.14 Approval of Supplemental Agreement No. 8 to the contract with Skillings-Connolly, Inc. to extend the contract time for completion from June 30, 2004 to August 31, 2004 for CRP 1380/1381, Grapeview Loop Road. There is no cost change.
  - 9.15 Approval of the Reimbursable Agreement between the Road Department and Mason County Fairgrounds, for asphalt pre-leveling around the Fairgrounds buildings.
  - 9.16 Approval of the Reimbursable Agreement between the Road Department and Utilities/Waste Management to place 3<sup>rd</sup> shot of BST at the Hoodspout Transfer Station.
  - 9.17 Approval of a Reimbursable Agreement with Parks & Recreation for placement of 3<sup>rd</sup> shot of BST surfacing on two parking lots (Sand Hill Park and MCRA).
  - 9.18 Approval for the Department of Public Works to select and hire a contractor from the current Small Works Roster to install a cyclone fence around the Belfair Shop.

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- 9.19 Approval of the Transfer of Jurisdiction to the Squaxin Island Tribe and execute the Quit Claim Deed in accordance with RCW 39.33.010. This is a .02 acre of property located at the intersection of Whitner Road, County Road number 15160 and Old Olympic Highway, County Road number 14010, and was determined to have cultural significance.
- 9.20 Approval for Utilities and Waste Management to secure telephone or written quotes for the purchase of ultraviolet light bulbs and outer sleeves for the North Bay Wastewater Treatment Facility at an estimated cost of \$4,000.
- 9.21 Approval of Veterans Assistance Fund applications for: Robert Ramar – utilities \$136.77; Earl E. Dolen – rent \$275.03; John E. Malick – utilities \$177.82, food \$222.18; and Trace D. Strickland – housing \$400.00 for a total of \$1,211.80.
- 9.22 Approval of Warrants
- |                      |               |                |
|----------------------|---------------|----------------|
| Claims Clearing Fund | 73687-74172   | \$785,662.33   |
| Salary Clearing Fund | 140417-140886 | \$1,190,239.89 |

The Board noted that they will be removing Consent Agenda Item 9.6.

Kevin Lyon, Squaxin Island Tribe Legal Counsel; Rhonda Foster, Director of Cultural Resources; and Mike Poier, Director of Community Development thanked the County for approval of Consent Agenda Item 9.19 as a culturally significant tree is on the site at Old Olympic Highway.

Rhonda Foster stated that the tree is ancient and is a living archeological site, traditional cultural property site and a living artifact. It demonstrates the link between an ancient people from over thousands of years to a village center that is the heart of the Kamilche Village.

The Squaxin Island Tribe presented the Commissioners with a plaque with a picture of a fish in appreciation.

Bill Tabor, Acting Public Works Director, referred to Consent Agenda Item 9.14 and noted there is a correction on the date. Instead of August 31 it should be October 31, 2004.

**Cmmr. Kamin/Baze moved and seconded to approve the consent agenda Items 9.1 through 9.22 with the removal of Item 9.6 and correct the date on Item 9.14 from August 31, 2004 to October 31, 2004. Motion carried unanimously. B-aye; J-absent; K-aye.**

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

- 10.1 Public hearing to consider a supplemental appropriation to the 2004 budget for the Current Expense Fund and the Reserve for Accrued Leave Fund in the amount of \$375,000.

Director of Budget & Finance Ione Siegler presented the supplemental appropriation request for the Current Expense Fund and Reserve for Accrued Leave Fund. She noted that the County will receive unanticipated revenue in 2004 from the Washington State Department of Natural Resources from timber sales. The County would like to use this revenue to help fund the liability for payment of accrued leave.

The Board questioned what is the total liability for the accrued leave.

Ms. Siegler responded it is over \$2 million. They anticipate a large expenditure around 2005 or 2006 of over \$500,000.

**Cmmr. Kamin moved and seconded to approve the supplemental appropriation to the 2004 budget for the Current Expense Fund in the amount of \$375,000 and the Reserve for Accrued Leave Fund in the amount of \$375,000. Motion carried unanimously. B-aye; J-absent; K-aye. Budget Order (Exhibit C)**

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- 10.2 Public hearing to consider disposal of certain Mason County property. The property under consideration is as follows: Parcel #32331-22-00320, Tract 32 of Govt Lot 1; Parcel #51902-50-04024, Norwood City Block 4, Lot 24; Parcel #32214-50-05901, Maggie Lake Add #1, Block 5, Lot Nwly ½ 11 and E ½ Lot 12; Parcel #32214-50-05903, Maggie Lake Add #1, Block 5, SW 50' Lot 15; Parcel #32019-25-00950, Don Land Claim #37, Tract 95; Parcel #42024-15-01000, Don Land Claim #37, Tract 100.

Lisa Frazier, Treasurer, explained there are six parcels of real property which have been brought to the attention of the County requesting for surplus. This is a public hearing to take any testimony on that.

The Board asked what initiated the request for a sale.

Mrs. Frazier explained that the parcels being considered for surplus property at the hearing have been requested by the public. Individuals have shown an interest in purchasing the parcels and requested the county surplus and put them up for auction.

The Board questioned if the County is required by RCW to respond to a request in the form of a sale.

Mrs. Frazier stated that the County is not required to surplus the property.

No public comment was received.

**Cmmr. Kamin/Baze moved and seconded to approve the resolution declaring the following property surplus and dispose of the property by public auction that will be conducted by the County Treasurer. Parcel #32331-22-00320, Tract 32 of Govt Lot 1; Parcel #51902-50-04024, Norwood City Block 4, Lot 24; Parcel #32214-50-05901, Maggie Lake Add #1, Block 5, Lot Nwly ½ 11 and E ½ Lot 12; Parcel #32214-50-05903, Maggie Lake Add #1, Block 5, SW 50' Lot 15; Parcel #32019-25-00950, Don Land Claim #37, Tract 95; Parcel #42024-15-01000, Don Land Claim #37, Tract 100. Motion carried unanimously. B-aye; J-absent; K-aye. Resolution No. 58-04 (Exhibit D)**

- 10.3 Public hearing to consider amendments to Title 14, Building and Construction Code, adopting the State Building Code. In most cases, the State Building Code has replaced the Uniform Codes with the International Codes.

Tami Griffey, Community Development/Building, recommended the Board formalize the adoption of the International Codes which will replace the Uniform Codes in Title 14. The State requires that all cities and counties adopt the state building code, effective July 1, 2004. She added that the International Code is adopted statewide. The State RCW 19.27.031 requires that all jurisdictions adopt and enforce the building code.

Darren Nienaber, Deputy Prosecutor, questioned how many states have adopted the code.

Ms. Griffey noted that as of May 3, 2004 there were 44 states using the International Building Code; 43 states were using the International Residential Code and 32 states were using the International Fire Code.

She summarized the amendments:

Pages 1 – 2 -- Repeal the Uniform Codes and Adopt the International Codes and omit codes whose contents are included in the International Codes already. Exception is the re-adoption of the 1997 Uniform Code for the Abatement of Dangerous Buildings.

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Pages 3 & 4 – New sections added to the body of the Title 14. They previously had provisions in the Uniform Code and whose sections of the International Codes are left up to the discretion of the Building Official to establish. Mason County enforced these sections previously as adopted under the Uniform Codes. Sections being deleted or repealed are already being provided for within the International Code or other sections in the Mason County Code.

Pages 5 & 6 – Amends sections of the Violation and Penalties chapter. They now reference Title 15 for the purpose of establishing consistency and maintaining a single title for code compliance and enforcement. Title 15 is used by the Planning Department, Environmental Health, Fire Marshal, and Building Department.

Page 7 – New chapter for the Fire Code. It establishes an appeals process to be in accordance with Title 15.

Pages 7 – 18 – Address the installation standards for Manufactured Homes, Mobile Homes, Park Trailers, Factory Built Housing, Commercial Coaches and Commercial Structures. There are amendments to reflect the name change from the Permit Assistance Center to Department of Community Development. References within the chapters to the Uniform Building Code have been changed to International Building Code and International Residential Code as applicable.

The Board questioned if there will be any change in how the County is permitting.

Ms. Griffey replied that the Acting Building Official Larry Waters summarized the International Codes as being equal to or less restrictive than the Uniform Codes and they offer more options for compliance.

Mr. Nienaber asked about the comments from the Building Industry of Washington.

Ms. Griffey stated that the IRC is arranged systematically and it contains an effective index and helpful sections on definitions. It includes reference illustrations, tables and charts, which can eliminate the need for excess of engineering. It is much easier to use and understand than the Uniform Building Code.

The Board stated that they appreciate the consistency in the surrounding communities.

It was questioned how long the Building Department has been working on the changes.

Ms. Griffey stated that they have been working on this since January when they learned it was coming. The staff went to training to learn the International Codes. They have had recertifications in the International Codes. It has been a long process and the staff is well prepared.

No public comments were received.

**Cmmr. Kamin/Baze moved and seconded that the Board approve and sign the Ordinance amending Title 14 adopting the state Building Code, effective July 1, 2004. Motion carried unanimously. B-aye; J-absent; K-aye. Ordinance No. 59-04 (Exhibit E)**

11. Other Business (Department Heads and Elected Officials)

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- 11.1 Approval to reject all bids received for the Culvert Supply Contract on Tahuya River Drive, and set a new bid opening date and time on Friday, July 30, 2004, at 9:00 a.m., and authorize the Chairperson to execute all pertinent documentation.

Bill Tabor, Acting Public Works Director, submitted the recommendation to reject bids received for the Culvert Supply Contract and set a new bid opening date.

On June 25, 2004, the county received and opened one bid for the culvert supply contract at the office of Mason County Commissioners. The bid was received from Contech Construction Products Inc. A second bid was erroneously delivered to the Mason County Auditor's office two days prior to bid opening and was not received by the Clerk of the Board in time for the bid opening. The second bid was from Big R Manufacturing, LLC.

The Prosecutor's office was consulted and it was their determination to reject all bids and readvertise for a new bid opening date.

The Board stated that the Board needs to go with the legal counsel.

Dave Wilke was present as a shareholder in Big R Manufacturing, LLC. He explained that they have furnished aluminum structure plate to Mason County on several projects. They have also sold several portable bridges to Mason County.

He explained that a year ago the County took bids for the Satsop Cloquallum Road and they submitted a lower bid which was delivered late by Fed-Ex and the County awarded to another bidder.

Mr. Wilke asked that the Board reconsider awarding their bid.

The Board questioned what was the reason for not going through sub-contractors for this project.

Mr. Tabor stated that one of the first culverts which was washed out is being funded by FEMA. They are still trying to get approval from FEMA to do that project. They have a fish work window that they are dealing with. They were preparing so when they did get approval from FEMA they could proceed with the project without any delay.

The Board expressed that this is very regrettable. It is frustrating for all concerned. They will try and do their best and hope they can get good bids on the next try.

**Cmmr. Kamin/Baze moved and seconded to reject all bids received for the culvert supply contract on Tahuya River Drive, and set a new bid opening date and time for Friday, July 30, 2004, at 9:00 a.m. and authorize the Chairperson to execute all pertinent documentation. Motion carried unanimously. B-aye; J-absent; K-aye.**

- 11.2 Approval of the contract for CRP 1598, Skookum Creek Bridge (Old Olympic Hwy.), to C.W. Williams Construction Company, for their bid amount of \$586,901.33 and authorize the Chairperson to execute the contract and all other pertinent documentation.

Mr. Tabor stated that they opened bids on May 7, 2004. Nine bids were received ranging from \$865,851.89 to \$586,901.33. It was recommended the Board award to C.W. Williams Construction Company in the amount of \$586,901.33.

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**Cmmr. Kamin/Baze moved and seconded the Board award the contract for CRP 1598, Skookum Creek Bridge (Old Olympic Hwy.), to C.W. Williams Construction Company, for their bid amount of \$586,901.33 and authorize the chairperson to execute the contract and all other pertinent documentation.**

12. Administration - None

13. Adjournment- The meeting adjourned at 10:01 a.m.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

Absent 7/6/04

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

ATTEST:

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Jayni L. Kamin, Commissioner

\_\_\_\_\_  
Rebecca S. Rogers, Clerk of the Board

\_\_\_\_\_  
Herb Baze, Commissioner