

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

SEPTEMBER 7, 2004

1. Call to Order – The meeting was called to order at 9:00 a.m. by Chairperson Wes Johnson.
2. Pledge of Allegiance – The chairperson 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 July 20 and August 24, 2004 with one correction to the minutes of July 20, 2004 on page 3; paragraph 6; add “. . . not only failing septic systems. . . .”. Motion carried unanimously. B-aye; J-aye; K-aye.**
5. Board’s Calendar for week of September 7 – 14, 2004.
6. Correspondence and Organizational Business
 - 6.1 Correspondence
 - 6.1.1 Mason County Emergency Management notified by email that they were contacted by Homeland Security FEMA Region X that additional reservists were needed to assist in Florida due to the state of emergency. Mason County EMS made calls to recruit from the emergency workers and from fire districts. The positions are for 2 – 6 weeks and are being paid by Homeland Security.
 - 6.2 Press Release – Mason County Trails Committee. Staff: Cmmr. Jayni Kamin
Cmmr. Kamin/Baze moved and seconded to move the press release until after approval of the consent agenda. Motion carried unanimously. B-aye; J-aye; K-aye.
7. Open Forum for Citizen Input – None.
8. Adoption of Agenda – **Cmmr. Baze/Kamin moved and seconded to adopt the agenda presented with the change to have Item 6.2 after the agenda Item 9. Motion carried unanimously. B-aye; J-aye; K-aye.**
9. Approval of Consent Agenda:
 - 9.1 Approval to set a public hearing on Tuesday, September 21, 2004 at 9:30 a.m. to consider increasing the fee to \$250 for each application for the Current Use Assessment Program of Farm and Agricultural Land, Open Space Land and Timber Land and for each application for Designated Forest Land.
 - 9.2 Approval of contractual employment agreement between Mason County Parks Department and Richard and Joyce Arnold for services as MCRA Attendants.
 - 9.3 Approval of Warrants
Claims Clearing Fund 76687-77017 \$317,206.61
 - 9.4 Approval of Veterans Assistance Fund application for: Stephen R. Kelley – housing \$400.00; Chris R. Greiner – food \$50.00 = \$450.00.
 - 9.5 Approval of Certification Re: Debarment, Suspension, Ineligibility and Voluntary Exclusions – Lower Tier Covered Transactions for Superior Court Clerk’s office.
 - 9.6 Approval of the resolution establishing a Mason County Trails Committee which shall create a draft Master Trails Plan for Mason County. **Resolution No. 72-04 (Exhibit A)**
 - 9.7 Approval of the resolution setting a public hearing on Tuesday, September 21, 2004 at 9:30 a.m. to consider a supplemental appropriation to the 2004 budget for the Current Expense Fund in the estimated amount of \$420,000 and the Reserve for Accrued Leave Fund in the estimated amount of \$400,000. **Resolution No. 73-04 (Exhibit B)**
 - 9.8 Approval of the resolution declaring surplus property and authorizing the Mason County Treasurer to hold a public auction to dispose of said property on Saturday, October 9, 2004 at 10:00 a.m. at the Mason County Road Central Shop. **Resolution No. 74-04 (Exhibit C)**

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- 9.9 Approval to set a public hearing on Tuesday, September 21, 2004 at 9:30 a.m. to consider a speed limit change on Haven Way. The recommendation is to lower the speed limit from 40 mph to 30 mph from milepost 0.00 to 0.80.
- 9.10 Approval of the resolution authorizing the closure of the Satsop-Cloquallum Road (CRP 1720) from September 13, 2004, 6:00 a.m. through October 15, 2004, 6:30 p.m. to facilitate culvert replacement at milepost 6.32. **Resolution No. 75-04 (Exhibit D)**
- 9.11 Approval of Supplemental Agreements 3 and 4 as amendments to the County's contract with Geo-Engineers for design work on the North Shore Road. The total cost change is \$3,754.35.
- 9.12 Approval of continued funding of contracted household hazardous waste collection services by Kitsap County Moderate Risk Waste Collection Facility, and authorize the Director of Utilities & Waste Management to provide notification to Kitsap County. Costs to provide this service through the remainder of the year are estimated at \$8,000 to \$10,000 and will be covered through the existing Solid Waste Utility budget.
- 9.13 Approval of a contract between Mason County and Washington State Community, Trade, and Economic Development for the Growth Management Act (GMA) update grant of \$50,000 for GMA mandated updates of the County's Comprehensive Plan and resolutions and approval for the Chair to sign.
- 9.14 Approval of amendment 6 to Ecology Grant No. G000107 between the Department of Ecology and Mason County for \$60,713 to fund tasks 6-10 of the instream flow studies, as specified in the Instream Flow Supplemental B Scope of Work and includes the equipment purchase as identified in Task 2. The amendment also reflects a budgetary shift from related staff charges to contracted services. The total grant amount has not been changed.
- 9.15 Approval of contract amendment #3 between Northwest Land and Water and Mason County to further study WRIA 14 hydrogeological characteristics and instream flow, under the Watershed Base Grant (G000107) for a cost of \$60,713.
- 9.16 Approval of Grant No. G0500043 in the amount of \$6,800 between the Department of Ecology and Mason County to provide Hood Canal Watershed Planning Facilitation for WRIA 14, 15 and 16.
- 9.17 Approval of a contract amendment #3 in the amount of \$6,000 between Sound Resolutions and Mason County to provide meeting management and facilitation services for a group being convened to address the low dissolved oxygen and other environmental issues in Hood Canal. This amendment also extends the existing contract to June 30, 2005.
- 9.18 Approval of a resolution providing for an advisory ballot at the upcoming general election for an all-mail ballot on all elections within Mason County. **Resolution No. 76-04 (Exhibit E)**
- 9.19 Approval for Public Works to secure telephone and/or written quotes to purchase a set of trench speed shoring, at an estimated cost range of \$5,500 to \$7,000.
- 9.20 Approval for the ER&R Manager to purchase two used 4x4 pickups from Washington State or Federal surplus. Maximum total cost of both vehicles, \$25,000 plus tax. These would replace vehicle #17.
- 9.21 Approval of a contract between Mason County and Economic and Engineering Services, Inc. for consultant services in a review of flood plain management in the Skokomish River Valley for an amount not to exceed \$7,770.
- 9.22 A resolution amending the Non-Union Salary Range Alignment by adding the job title of GIS Manager and deleting the job title of GIS/Programmer Analyst. **Resolution No. 77-04 (Exhibit F)**
- 9.23 No objection to the special occasion liquor license application for Mason County Shelter; Date: September 11, 2004; Time: 12 p.m. – 10 p.m.; Place: Enclosed Area, 2680 E. Agate Road, Shelton, provided the group is not subject to being required to obtaining a music festival permit.

Ray Hansen asked what the intent or purpose for Item 9.6 to establish a Trails Committee.

Cmmr. Kamin responded that the Trails Committee would be a short-term committee, approximately six months. They hope they will meet about once or twice a month to look at the connections between the different trails they already have and develop a master plan for a trails system. It is to develop a systematic approach for developing a trails system in the County. A plan to look at connecting public facilities and trails already in place. Also, linking up to the regional trail system, such as the Discovery Loop Trail.

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It was noted there are funds set aside through Public Works for trails in the County.

The Trails Committee would work in conjunction with surrounding counties and Department of Transportation.

A question was raised from the audience as to what Consent Agenda Item 9.23 is.

Cmmr. Baze explained that it is a fundraiser being held at Sid Bechtold's property for the homeless shelter.

Cmmr. Kamin asked about the Consent Item 9.10 closure of the Satsop-Cloquallum Road. She asked what the alternative route would be.

Bill Tabor, Interim Public Works Director, gave the board a copy of the detour plan they put together. It routes traffic south down East Satsop Road and east through Satsop and Elma and back to Cloquallum Road. A large portion is through Grays Harbor County.

They have to be out of the stream by October 15, 2004. They will have it done before that date.

The closure dates are September 13, 2004 through October 15, 2004.

Cmmr. Johnson asked how they could shorten the closure period time as much as possible.

Mr. Tabor stated he would have to discuss it with the contractor to see how they could shorten the time. They opened bids last Friday and have not selected a contractor yet.

Cmmr. Johnson encouraged Public Works to shorten the closure period as much as possible.

Mr. Tabor replied that they would work towards minimizing the closure to make it as short as possible.

Cmmr. Kamin/Baze moved and seconded to approve the consent agenda items 9.1 – 9.23 as read. Motion carried unanimously. B-aye; J-aye; K-aye.

Cmmr. Kamin read aloud the press release noting that the County is seeking individuals to serve on a new Trails Committee. Applications will be accepted until September 30, 2004.

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

10.1 Presentation by the Auditor's Office of the 2005 Budget Requests.

Theresia Ehrich, Chief Accountant/Auditor's Office, presented the Board with a copy of the 2003 Annual Report for Mason County. She introduced the Accounting Technicians in the Auditor's office: Paige Hansen; Michelle Crow; and Betty Shoeman.

The Board received copies of the 2005 department and supplemental budget requests. The Auditor's office reviewed the budget requests for correct coding, positions and personnel benefits included.

The Auditor's Financial Services stated the County is currently financially healthy at this time.

It was noted that the budget document includes comparisons of actual expenditures/revenues from 2001 thru June 2004.

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The 2005 Current Expense budget revenues presented with beginning fund balance totaled \$24,145,840; without beginning fund balance totaled \$20,823,068; 2005 Current Expense budget expenditures totaled \$24,451,207 with ending fund balance; without ending fund balance totaled \$22,426,516.

Paige Hansen commented on the 2005 preliminary budget Special Funds budgets revenues/expenditures which totaled \$43,349,905.

Theresa Ehrich, referred to page 5 where special funds have money in reserves and the balances for the last few years.

10.2 Public Hearing to consider the 2003 applications for the Current Use Open Space and Timber program.

Phil Franklin, Assessor's office, presented the recommendations for approval on the applications before the Board. He explained the overall program is called Current Use. The elective authority has the final approval on the applications for the current use/open space and current use/timber applications.

The Current use program was designed in 1970 to give the land the highest and best use.

He presented the Current Use/Timber applications totaling five of which there is 16 parcels and total 106.79 +/- acres. (Clyde A. Hammer, Arthur J. King III, Thomas G. Morris, Jr., Karen & Doug Bryan Nielson and Jeffrey B. Richardson). He explained that to qualify for this program the parcel must be a minimum of five acres. The majority of the property has to be designated as long term timber growth. The timber can be cut, but it must be replanted within three years.

If someone chooses to take their parcel out of the timber program the penalty is payment of seven years back taxes, plus interest and there is a possible 20% penalty. The long-term intentional use is forestland.

The current use/open space program of ten applications was presented to the Board. There are a total of 12 parcels in the 10 applications and total 52.68 acres. (Steven & Cheryl Dykstra, Patricia Karman, Wesley Ostertag, William & Diane P. Satak, James M & Patricia C. Scott, Tyler & Rhonda Tobin, Union Heights Road Maintenance Assoc., Ken & Peggy VanBuskirk, James R. Willis and Ken Zurn).

Mr. Franklin suggested the above applications qualify for the program and be approved.

Cmmr. Baze/Kamin moved and seconded to approve the 2003 applications for the Current Use Open Space and Timber program as recommended by the Assessor's office. The applicants for the Open Space program are Steven & Cheryl Dykstra, Patricia Karman, Wesley Ostertag, William & Diane Satak, James & Patricia Scott, Tyler & Rhonda Tobin, Union Heights Road Maintenance Assoc., Ken & Peggy VanBuskirk, James Willis, Ken Zurn. The applicants for the Timber program are Clyde Hammer, Arthur Joseph King III, Thomas Morris, Jr., Karen & Doug Nielson and Jeffrey Richardson. Motion carried unanimously. B-aye; J-aye; K-aye.

10.3 Public Hearing continued from August 10, 2004 for Road Vacation #329, portion of Moore Avenue.

Bill Bullock, Public Works, gave a current staff report on the continued hearing for the road vacation for a portion of Moore Avenue. The recommendation is to approve the request, subject to any existing easements of record and existing utilities.

Chairperson Johnson asked if Public Works is aware of the communication received from the City of Shelton dated August 31, 2004 about the criteria the City uses when vacating public property.

Mr. Bullock responded he was aware of the letter but hasn't reviewed it.

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Chairperson Johnson questioned if anyone in Public Works has evaluated the criteria given.

Mr. Bullock replied that Mick Sprouffske has reviewed the criteria.

Cmmr. Baze stated he understood that Mick Sprouffske had looked at the criteria and stated none of it applied as far as the city is concerned. The City would have no objection.

Ione Grable stated she had questions of the petitioner. She thought her property borders the petitioner's property.

The petitioner's property is unbuildable and may not be advisable for development. Mr. Greig was allowed to log his property and yet there are springs and it is very steep. There is a serious issue of flooding in the city that borders his property below.

She asked for clarification from Mr. Greig on what his intent is for the property as she has heard differing reports with the possibility of developing a park, build 1 – 3 executive homes, and a mother-in-law quarters.

This parcel is one of the last wooded hillsides that overlook the City of Shelton. She felt that both the County/City don't have any concrete ordinances to protect the aesthetics of the city, not to mention to address the flooding problem in that area.

Chairperson Johnson added that the application is simply for vacation of the right-of-way. Any other issues would be a separate consideration.

Martin Greig, petitioner, responded that he didn't believe the Grable land borders his parcel of land. He understood that Phil Bayley borders his land. His intent of the parcel is he doesn't want to pay taxes on it. He wants to be available, in the future, for a trails system and a park system in that area. It would be a way of connecting several pieces of property. Mr. Greig's land goes up to Sixth Street (almost to bottom of Northcliff Hill). It borders Phil Bayley's at Sixth Street. It lends itself to be developed as a park in the future. His dream is to put a heritage park for logging equipment or a house from Grisdale. Certain pieces of the property he owns free and clear and would be happy to giving up portions of the land to the County or City. He has no intention of using the vacated road other than a trail system and the utilities necessary to develop a park.

Cmmr. Baze asked if Mr. Greig has any intention of having the piece of property placed in the open space program.

Mr. Greig responded he was not clear on how that program works. There is timber which is primarily maple and he has no intention of cutting that and would be happy for the tax break.

He would like to build a retirement home and sell his 6,400 sq. ft home that he lives in currently.

They are done logging and have several trees that they plan to take down because they were damaged in the logging process.

The Board questioned Mr. Greig if he needed the vacation to develop his property.

Mr. Greig stated from the top he has two owned property accesses through his property. He could also have a circular driveway.

Ione Grable why would you want this road vacated if you are going to turn the property over to the county/city. Another concern is she walks the city a lot and has serious concerns about developing a hillside park. They

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have found pornography on the trail system and other despicable things and they don't have the policing to manage the trails. She stated it is commendable for a trails system.

She doesn't want the negative type of environment next to her house.

Mr. Greig responded that he is simply trying to connect the chain. He did concur that there is pornography on the trail system. The same things are present across his hillside.

Cmmr. Kamin clarified that according to Public Works this is a steep hillside and unbuildable. According to the County's standards for trails it doesn't meet the standards.

Bill Bullock stated what a private individual can do and what a public agency can do are two different things. He did not see building any pedestrian access according to Road Standards.

Cmmr. Kamin asked if this was ever opened.

Mr. Bullock responded that if a plat was developed before 1905 and the right-of-way dedicated to the public was not opened within five years it would vacate back to the adjacent property owners by operation of law. That law does not apply for this situation. There is not a bench for this right-of-way.

Chairperson Johnson noted that discussion has gone beyond the request to vacate the road. They have gotten into other issues. In terms of the vacation, use of the property for county purposes does not appear to have any interest.

Cmmr. Kamin/Baze moved and seconded that Vacation File No. 329 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 G)

10.4 Public Hearing to consider Road Vacation #331, portion of Fir Street adjacent to Lots 18, 19, and 20 of Block 21 in the Plat of Hood Canal and Improvement Addition to Union City.

Bill Bullock, Public Works, read the engineer's report into the record recommending approval of the vacation by operation of law.

Chairperson Johnson questioned if the vacation was approved would this block off access for any parcel owners between Fourth and Fifth Street on Fir Street.

Mr. Bullock responded that with vacation of operation of law the county is vacating the right back to the adjacent property owner. Everyone who owns property within that plat has a common easement right across those road rights-of-way.

There would be a common easement for all parcel owners and no one would be landlocked. They could not put a house on the vacated portion or block it off, but could use it for setback requirements.

The Board closed the public hearing.

Cmmr. Baze/Kamin moved and seconded that Vacation File No. 331 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 H)

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

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12. Administration – None

13. Adjournment - The meeting adjourned at 10:49 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