

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

OCTOBER 19, 2004

1. Call to Order – The meeting was called to order by Chairperson Wes Johnson at 9:02 a.m.
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 October 12, 2004, with correction on page 4, paragraph 7, line 3 enter “not” under county is not using scientific based information; and briefing minutes of October 11 and 12, 2004. Motion carried unanimously. B-aye; J-aye; K-aye.**
5. Board’s Calendar for week of October 19 – 26, 2004.
6. Correspondence and Organizational Business
 - 6.1 Correspondence
 - 6.1.1 Cascade Natural Gas announced that effective October 1, 2004 they have named W. Brian Matsuyama as Vice-Chairman and will be searching for a new President and CEO.
 - 6.1.2 Letters of support of the purchase of the 80-acre nature park on Oakland Bay under public ownership were received from: James G. Weiler and Ken Berg. Letter in opposition to the purchase of the 80-acre nature park on Oakland Bay from: Patricia Miller.
 - 6.1.3 Comcast announced changes it will be making to its COMCAST en ESPANOL Digital Package effective November 8, 2004.
 - 6.1.4 A check in the amount of \$14,130.14 for the Skateboard Park Fund was received as a transfer of funds from Mason County Drug Abuse Prevention Director, Julianna Miljour.
 - 6.1.5 WalMart Store Manager, Kevin Johnston, submitted a letter listing some issues of concern regarding the Skateboard Park. Cmmr. Baze stated that he talked with Kevin this morning. He has concerns and they are being worked out. Need to make some few minor changes.
 - 6.1.6 Letter from Exceptional Foresters requesting a letter of support for a transportation grant application.
 - 6.1.7 It was noted that the Board is continuing to receive input from citizens in the Tahuya area relative to the appointment of a Port of Tahuya commissioner. Comments are being received by phone calls, emails and letters.
 - 6.1.8 Cmmr. Kamin noted that she has received numerous emails regarding the Shelton School Board’s decision on the brown gym.

Cmmr. Baze stated that he spoke to the WalMart manager this morning and the manager has some concerns with the skateboard park that are being worked out and he doesn’t want to see the park go away. It is good for the County and business. They would like to see some minor changes made.

- 6.2 Press Release – Transportation Improvement Program – Citizens Advisory Program (TIP-CAP) – Bill Tabor, Acting Public Works Director, announced that the County is seeking volunteers to serve on the advisory committee. Applications are being accepted until November 12, 2004.

The recommendation that this committee presents is to develop the annual 2006 plan and the 2006-2011 Six Year Plan.

The Board thanked Mr. Tabor and all those who have volunteered their time in participating on the committee this year.

7. Open Forum for Citizen Input – No public comment.

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8. Adoption of Agenda – **Cmmr. Baze/Kamin moved and seconded to approve the agenda as presented. Motion carried unanimously. B-aye; J-aye; K-aye.**

9. Approval of Consent Agenda:

9.1 Approval of Warrants

FUND NAME	WARRANT #	WARRANT AMOUNT
Claims Clearing Fund	78875-79357	\$1,036,631.41
Salary Clearing Fund	143074-143325	\$ 201,521.16

9.2 Approval of Veterans Assistance Fund applications for: Melissa J. Morris – food \$515.48 & utilities \$84.52; Billy D. Emerson, Sr. – housing \$200.00; Thomas J. Page – utilities \$114.56; Roy K. (Mrs. Rose) Oster – utilities \$100.00; Richard Emerson – housing \$600.00 for a total of \$1,614.56.

9.3 Approval of the contract for professional services between the North Mason School District #403 and the Mason County Sheriff's office to provide a school based deputy at North Mason High School and Hawkins Middle School. Time schedule is September 1, 2004 – June 30, 2005 and the School District shall pay the county \$40,000.

9.4 Approval of a \$4,052 budget transfer within the 2004 budget for the Commissioners' Department to enable the County to hire a person to complete archiving of records. **Resolution No. 89-04 (Exhibit A)**

9.5 Approval of Supplement Agreement No. 9 to the contract with Skillings-Connolly, Inc. to extend the contract time for completion from October 31, 2004 to March 31, 2005. The scope of work and payment portions of the contract will remain unchanged.

9.6 Approval to call for bids to drill, construct, and develop Beards Cove Well No. 5; engineer's estimate is \$92,000.

Cmmr. Kamin referred to item 9.4 and noted that these funds are being dedicated to the criminal justice system from the commissioners' budget.

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

The Board moved to agenda Item 11.1.

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

10.1 Public hearing to consider Road Vacation #332 for Graciela Velasco for vacation of a portion of Fir Street, within the Plat of Hood Canal Land and Improvement Addition to Union City.

Mick Sprouffske, Public Works, presented the proposal of Mrs. Velasco for a portion of an alleyway in the plat of Union. This is a second request by Mrs. Velasco asking for the vacation of the right-of-way.

Public Works has determined that this portion of the alley is an unopened right-of-way dedicated to the public on April 6, 1889. It was vacated by operation of law as there was no evidence it was ever opened as a county road.

The Board questioned if this is adjacent to a recent vacation.

Mr. Sprouffske responded the County vacated a portion of Fir Street on the east side of this block of lots. The petitioner had missed her opportunity then and sought afterwards to vacate the alleyway on the west side of the lots.

The Board asked if this is a formality as these roads were vacated years ago.

Mr. Sprouffske concurred that the roads were vacated in April 1894 and this will clear title.

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Those people who still have easements using those rights-of-way will be maintained.

Cmmr. Baze/Kamin moved and seconded that Vacation File No. 332 be approved as requested, subject to existing easements of record and existing utilities. Motion carried unanimously. B-aye; J-aye; K-aye. Order (Exhibit B)

- 10.2 Public hearing to receive public comment regarding the proposed purchase of approximately 80 acres on the east shore of Oakland Bay for a future county nature park. The proposed cost of the land is 1.2 million dollars. Approximately 50% of the acquisition cost is proposed to be paid from a Salmon Recovery Funding Board (SRFB) grant and the balance from County Real Estate Excise Tax (REET) funds.

Ron Henrickson, County Administrator, displayed a black aerial photograph of the proposed purchase. The property is unique and has approx. 2,000 feet on Oakland Bay and approximately 1,500 feet along Malaney Creek. This is an opportunity to protect salmon habitat and shoreline and preserve for future generations a part of Mason County heritage. The County is proposing to partner with Capital Land Trust, non-profit conservation organization, to acquire the property. Conservation covenants will be used along the shoreline of the creek to protect the outstanding salmon habitat and marine shoreline. The SRFB has been approached for funding 50% of the cost of the \$1.2 million property. It is anticipated the SRFB will make their decision in December. The balance of the property cost acquisition is proposed from REET funds. Initially, the County was looking at using REET 2 funds for the acquisition; however they have identified the REET funds are a more appropriate source.

It was requested the hearing be continued to Tuesday, November 16, 2004; 9:30 a.m. to allow a specific funding plan for use of those funds to be presented at that time.

Correspondence in support of the purchase was acknowledged from: James G. Weiler and Ken Berg. A letter in opposition was received from Patricia Miller.

Chairperson Johnson questioned what is the certainty of receiving SRFB funds.

Mr. Henrickson responded the project was rated #1 and there is good reason to believe the funds will be approved. Also, action by the County will be a major factor in the approval of the funds. Given, they are only providing half of the funding, they want to make sure there is a partner that would step up for the balance of the funds for acquisition.

Terri Jeffreys, citizen, Government Affairs for Assoc. of Realtors, and Planning Advisory Committee, stated that the Association of Realtors are considered the "watch dog" on the use of REET funds throughout the state of Washington. They appreciate the County acknowledging the restrictions on use of the REET funds. They wholeheartedly support the purchase of the property. This money effects the price of a home as it gets passed on to the homebuyer. The legislative intent for the second half of the REET .25% is that the money be used to mitigate the effects of growth. If the county commissioners chose to use the money specifically for park maintenance there should be some public input on what that is. The Planning Advisory Committee will forward recommendations that an advisory committee be put together so people in the

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community know how that money is used. As a Planning Advisory Committee they struggled with what capital facilities projects will be funded by REET I. There were no specific project lists. She was hoping for clarification on what will be funded in the future.

Deputy Prosecutor Darren Nienaber stated the Planning Advisory Commission will be asking the County Commissioners set up a Park Advisory Board that would establish a Comprehensive Plan for the management of parks in the County.

Mo MacCracken, WSU Extension Office, expressed they wholeheartedly support the purchase of the property for the future possibilities for environmental education opportunities for youth in the county. They manage a forestry education program in the summer where the youth have participated in building some trails. It is a learning opportunity and hands on experience. The Environmental Education Association of Washington just met and presented a paper to the legislature stating the positive impact on student achievement that environmental education has. The purchase of this property would give Mason County youth the opportunity to have a site to learn about the environment.

Daniel Frishman, resident of Mason County for 13 years, voiced his support of the acquisition of this property. He volunteered his time and experience to make this a reality. He felt the acquisition would produce more public benefit that can be measured such as by number of people visiting the facility. This could be a destination site for people to come to rather than drive by Mason County. He asked that the County make sure an adequate budget is formulated to maintain the park. He hoped this park would reflect the spirit and heart of Mason County.

Jean Moore, representative of Hood Canal Land Trust Chapter of the Greater Peninsula Conservancy, supports this purchase. She read a letter into the record from Carol Coker, friend of the forest and teacher of Hood Canal school, who is a neighbor adjoining this property and in support of the acquisition.

Jane Christen, has approx. 1400 feet on the southern boundary of the proposed park. There are property owners surrounding this land. She questioned how the park will be divided from the private property. There currently is a problem, which is not insurmountable, with vandals, hunters, and mushroom pickers. She also urged the County to protect the property may require maintenance funds and to consider how the park will be divided from surrounding neighbors as they would prefer not to have an improved road.

Ed Lenington also adjoining property owner. Stated this is a rare opportunity to use county funds to acquire this property. There are few pieces of property that are available like this.

Donna Cheney, granddaughter of Thomas O'Neil, voiced her support of the property acquisition. She visited the site as a child and really appreciated the area.

Eric Erler, Exec. Dir. of Capital Land Trust, stated it is an honor to work with Mason County on the property acquisition. He pointed out that anytime the Assoc. of Realtors and neighbors to a piece of property speak in favor of the acquisition it is an incredible situation. The only reason this could be opposed is because of the taxpayer funding. He pointed out this is an extremely rare opportunity for the local

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taxpayers to get an asset for approximately 50% of the cost from the Capital Land Trust. He urged the Commissioners to think in long term such as impact on generations of people, but also the shellfish industry and what that brings to Mason County economically and potential impact of developing this shoreline property.

Anne Mills, watershed educator, expressed her excitement with the opportunity to save the shoreline and salmon stream for Mason County for the proposed Malaney Creek property. She felt that the project is possible to accomplish because of the partnerships. She commended those with the foresight to invest while it is doable.

Amy Hatch-Wineka, WRIA 14 Salmon Habitat Recovery Committee Member, stated that the committee is the Lead Entity for WRIA 14 and offered their enthusiastic support for the project. It represents the purchase and preservation of over 80 acres of habitat on Malaney Creek and bordering the shoreline of Oakland Bay. The lead entity is composed of groups, agencies and citizens, all working together to combine science and community values to do the best thing for salmon in the area. They have identified and ranked this property as #1 priority on their list of projects which they submitted to the Salmon Recovery Funding Board for funding. They will find out about funding on December 3, 2004.

Mike Madsen, District Manager of Mason Conservation District, added their support for this project.

Rich Geiger, District Engineer for Mason Conservation District, spoke as engineer with emphasis on preservation and restoration of natural resources; as a parent; and as a person who has worked for years with Mason County. He too wholeheartedly supports the purchase and future possibilities. A possible future for Mason County is eco-tourism or bio-tourism. In Washington State people like to go and watch nature and will spend money to do this. Washington State people have spent \$1 billion annually to see nature.

Ron Gold, landowner with access to the property, expressed that he is happy to see this project happen. He noted that over the years he has worked for the owner and thinned timber and built a bridge. During the process over twelve years he has seen wildlife (red tail hawk's nest, barn owls, fox, deer, all kinds of birds, herings, eagles). The property has unique opportunity in terms of wildlife.

Denny Temple stated that he has a degree in recreation leisure service and commended the Board for taking the opportunity to purchase this property. It is something unique. He questioned where the money is coming from to purchase the property.

The Board explained it is anticipated to be paid out of the Real Estate Excise Tax 1. How the money can be used if specified by law.

Mr. Temple offered his time in getting things going for the MCRA Advisory Board.

Steve Shineman explained that he lives about 500 yards across Oakland Bay and owns 800 feet of waterfront. He stated he has been at the property a number of times and looked around and has looked at the property every day for the last twelve years. He stressed that maintenance is important. This property is

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not so pristine. There is one large house at the mouth of the creek. He questioned if there is a development plan.

The Board responded they are considering the acquisition at this hearing and the development plan will be determined if the County acquires the property.

Cmmr. Baze noted the money to be spent on the acquisition is dedicated funds. The property will be maintained and will be well kept. The people in this room that is their profession.

Rich Geiger responded in answer to the question about the plan. When they work to restore or maintain natural resources they believe in the power of partnerships. There was a show of hands from resource organizations who would be willing to pursue additional grant money for the restoration of the property: Mike Madsen, Mason Conservation District; WSU/CE; Eric Erler, Capital Land Trust; Amy Hatch-Wineka, WRIA 14 Coordinator; and private citizens.

Teri King, Washington Sea Grant Program, explained that the Sea Grant's mission is the wise use of conservation resources. This property has a variety of things: worms, shellfish, fish, etc. For the last eight years Skookum Rotary has paid to have the Pioneer School second graders transported to Twanoh State Park because they are not able to use any other park near the school to use for their beach walk. Having something that would allow the school kids to go to and be safe to explore the beach would be beneficial. Also, there is a lot of opportunity at this site to work with homeowners on waterfront wise things. Things they can do in their front yard so they can properly take care of the bay they live on. Work on vegetation and stormwater management which would be beneficial to their property.

She hoped to promote a small aquaculture demonstration site where they can show homeowners which are interested in growing shellfish on their beach, different techniques that they can use. Also, this would be a great connection to the Cranberry Lake educational research facility. It is a private operating foundation where students learn about lake ecology, forestry, etc.

Mr. Shineman asked how the property is zoned and if it has been professionally appraised.

The Board expressed that the property will need to be appraised and surveyed. It is zoned 1 residence per 5 acres.

Also, everyone was thanked for sharing the support and thoughts as the County works in acquiring the property.

Cmmr. Baze/Kamin moved and seconded to continue the public hearing to Tuesday, November 16, 2004 at 9:30 a.m to develop a specific funding plan to purchase the approximately 80 acres on the east shore of Oakland Bay for a future county nature park. Written comments will be accepted until Friday, November 5, 2004. Motion carried unanimously. B-aye; J-aye; K-aye.

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- 11.1 Approval of the grant agreement with Puget Sound Action Team in the amount of \$56,700 for the Hoodsport to Skokomish Wastewater Management Analysis.

Doug Micheau, Utilities & Waste Management Director, explained that the County has been successful in obtaining grant funding for a study that looks at options for providing wastewater management along the shoreline area between Hoodsport and the Skokomish River. This was a grant process that was administered by the Puget Sound Action Team and pass through funds from the Environmental Protection Agency. They did some lengthy discussions and scope and arrived at a study. The intent of the work is to determine what is the best potential options for dealing with sewage and wastewater management along the shoreline area. Also, to look at what areas should be included to continue to provide a higher level of protection for Hood Canal. This includes an environmental impact analysis and trying to answer some of the questions that have been out there for a long time with respect to what impacts might arise if they were to develop properties that might otherwise not be able to be developed today, without wastewater management. What local controls or regulatory measures could they implement along the shoreline areas that would offset the environmental impacts.

The Board questioned how this ties in with Hoodsport and Finch Creek area and pollution issues in that area.

Mr. Micheau responded they are currently developing a wastewater sewer facility plan for the immediate Hoodsport area. This will be the study in conjunction with the work as well as in conjunction with the Skokomish Tribe's sewer facility plan for the southern end of the shoreline area. Some of the information being developed for both of those sewer facility plans will facilitate the work effort in this study. That work is proceeding independently and the consultant is progressing on that specific work which was funded through .08 funds.

It was noted that the three projects are related but the studies are independent work elements, products and different funding source.

If they are successful in coming up with a formula that works on this shoreline they are hopeful it could be applied to other shoreline areas around the Canal.

The Board commended the Utilities & Waste Management Director in getting the application in to the PSAT for the funds. This demonstrates the efforts Mason County is making in taking a leadership role in addressing the low dissolved oxygen. The spirit of cooperation from other organizations such as Mason Conservation District, Skokomish Tribe, and Puget Sound Coordinating Council.

Cmmr. Baze/Kamin moved and seconded to approve the Interagency Agreement with Puget Sound Action Team for grant funding for the Hoodsport to Skokomish Wastewater Management Analysis, in the amount of \$56,700. Motion carried unanimously. B-aye; J-aye; K-aye.

- 11.2 Approval of an amendment to the contract with Gray and Osborne, Inc., dated July 20, 2004, in the amount of \$56,700 to incorporate the revised scope of work and budget as reflected in the final grant agreement

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with the Puget Sound Action Team and authorize the Director of Utilities and Waste Management to issue a notice to proceed for this work.

The Utilities & Waste Management Director recommended the Board approve the amendment to the contract with Gray & Osborne, Inc.

The Board asked when they look for completion of this project.

Mr. Micheau responded that the intent was to get something put together before the legislative session this January. The scope negotiations took longer than anticipated as well as the awards process. It was intended to be somewhere around mid-August timeframe. They are still trying to move forward as much as possible to get to the legislature and regulatory agencies at the first of the year.

Cmmr. Kamin/Baze moved and seconded to approve the Amendment No. 1 to the Gray and Osborne, Inc. contract dated July 20, 2004, in the amount of \$56.700, to incorporate the scope of work and budget in the approved Interagency agreement with the Puget Sound Action Team, and authorize the Director of Utilities and Waste Management to issue a notice to proceed for this work. Motion carried unanimously. B-aye; J-aye; K-aye.

12. Administration - None

13. Adjournment - The meeting adjourned at 10:44 am.

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