

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

JANUARY 4, 2005

1. Call to Order – The meeting was called to order by Acting Chairperson Jayni L. Kamin at 9:01 a.m.
2. Pledge of Allegiance – The chairperson led the flag salute.
3. Roll Call –Present: Cmmr. Dist. 1 – Lynda Ring Erickson; Cmmr. Dist. 2 – Tim Sheldon; Cmmr. Dist. 3 – Jayni L. Kamin.
4. Approval of Minutes – None
5. Correspondence and Organizational Business
 - 5.1 Elect 2005 Commission Chairperson

Cmmr. Sheldon/Ring Erickson nominated Jayni Kamin to serve as chairperson for 2005. Motion carried unanimously. K-aye; RE-aye; S-aye.

- 5.2 Prosecutor Comments – The board noted that there were concerns raised, in the Shelton-Mason County Journal on December 16, 2004, regarding fulfilling offices and they asked the Prosecutor to address some of the issues.

Prosecutor Gary Burluson addressed the questions which were posed to him from the head of the Democrat and Republican party:

- 1) Is the job of the Mason County Commissioner part-time as defined as less than 40 hours per week? He responded that an elected official does not have specific defined hours or days. His experience with the elected officials over the past 30 years is that often times they work 60 – 80 hours per week attending night meetings, travel business, etc. In terms of the law they are an elected official. They are not a department head or employee that is bound by 8 am – 5 p.m. The elected officials responsibilities consist 24 hours per day seven days per week.
 - 2) When a commissioner simultaneously holds an elected position as state legislature and must serve a fixed term each year in other official meetings in the legislature, to what extent can the commissioner be excused from scheduled commission meetings, office hours for public contact? He referred to RCW 36.16.125, which indicates an elected official has to do their job. If the elected official does not do job for 30 consecutive days, they can be taken to court and the salary can be reduced until they resume duties.
 - 3) If excused, to what extent should the \$65,000 annual pay and benefits be reduced? The RCW 36.16.125 addresses that situation directly.
 - 4) When health benefits, retirement and per diem expenses are awarded, are they provided without consideration to such benefits already being received by an individual now receiving comparable state benefits? He stated that is a question he would refer to Human Resources Director, County Auditor and State Auditor. Clearly, an individual cannot be compensated for the same thing twice.
 - 5) Are the Mason County Commissioners subject to any of the policies set forth in the Mason County personnel policies document? He responded those policies apply to employees and department heads. Generally, they do not apply to elected officials. However, some of them may be consistent with state law or constitution.
 - 5.3 Correspondence
Per RCW 84.52.020 a copy of the 2005 budget/levy was received from Timberland Regional Library.

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- 5.4 Committee Assignments - The Board announced the various boards, committees, and councils they will serve in 2005:

Lynda Ring Erickson (Commissioner District #1)

Shelton-Mason Chamber of Commerce, Executive Board
Washington Counties Risk Pool
Peninsula Regional Transportation Planning Organization (PRTPO) Exec. Council
Elections Canvassing Board, Alternate
Criminal Justice Working Team
Law Enforcement Officers/Fire Fighters (LEOFF) Board
Washington State Association of Counties Legislative Steering Committee
Shelton Memorial Park Board of Directors
Board of Health, Chair
WRIA 14
Mason Matters
Columbia-Pacific Resource Conservation and Economic Development District
Squaxin Community Contribution Committee
North Mason Chamber of Commerce, ex-officio member

Tim Sheldon (Commissioner District #2)

Olympic Region Clean Air Agency (ORCAA)
North Mason Chamber of Commerce
Olympic Peninsula Resource Advisory Committee
Shorelines Hearings Board, Alternate
Election Canvassing Board, Alternate
Hood Canal Coordinating Council, Primary Delegate
WRIA 15 and 16
WSAC Timber Counties Representative

Jayni Kamin (Commissioner District #3)

Board of County Commissioners, Chair
Lewis-Mason-Thurston Area Agency on Aging Council of Governments (COG)
Mason County Economic Development Council Board of Directors
Olympic Province Advisory Board
County-City of Shelton Relations Team
Mason County Finance Committee
Chehalis River Basin Partnership WRIA 22
Lodging Tax Advisory Committee
Elections Canvassing Board
Mason County Network
Drug Court Planning Organization

Cmmr. Ring Erickson questioned whether Mason County has a primary member on the Shorelines Hearings Board as Cmmr. Sheldon is listed as the alternate member. It was noted they will check into that to determine if the County has a primary member position.

6. Open Forum for Citizen Input
6.1 Patti Case, Green Diamond Resource Company Public Affairs Manager, congratulated the two new commissioners and on behalf of their company to renew a pledge to help the county staff.

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- 6.2 Renee Zazueta asked that the Board modify the "off street parking" regulations that would allow them to have 10 vehicles on each of their two pieces of property along Snowcrest Lane. Because there is a private road dividing both properties they are told this is considered as one parcel for the new law.

Cmmr. Sheldon stated he met with Mr. Zazueta yesterday and listened to his argument. At first glance, he did not see any issue of discrimination or favoritism by the other commissioners.

Cmmr. Ring Erickson stated that she also met with Mr. Zazueta. If the Planning Advisory Commission had any interest in looking at this, it is specifically section 9 of that particular regulation.

Chairperson Kamin added it is something the county could look into, possibly seeing if that is something they want to consult with the Planning staff.

- 6.3 Bob Allen, Grapeview thanked Cmmr. Kamin for the words on the Belfair Subarea Plan. He stated that the North Mason Chamber of Commerce seems to be too political. He asked that the Board consider rescinding the resolution passed or at minimum consider a motion to delay implementation of the resolution for a period of time up to six months. Also to allow a citizen committee to help get clarification on this issue. He offered to chair or co-chair committee(s).

He hoped to have members that might have minority positions to readdress things such as the Sign Ordinance to take a look at see how it would blend with the entire county sign ordinance as it exists today.

Chairperson Kamin stated that regarding rescinding that law, she did not think it is a possibility. She understood in the upcoming year with the updates to the Comprehensive Plan they will be looking closely at what modifications need to be made and adjustments to the Comprehensive Plan as a whole and as it relates to Belfair Subarea Plan in particular.

Regarding TIPCAP, the previous commission took nominations and accepted all who applied. It is something this board may readdress and are looking into to determine if they have a proper make up to the committee.

Deputy Prosecutor Darren Nienaber, stated that 2005 is year of the Comprehensive Plan update. This will be one of the biggest growth management discussion type years in a long time. The County got involved in Growth Management a number of years ago and was in litigation for six years. It has been approximately two years since in official compliance. There will be a number of discussions with respect to growth management and will apply to almost everything and how they regulate the land. It is not only Belfair, but what type of development is allowed or allowable in Skokomish Valley, what are the buffers, what are the appropriate size of buffers; how big should minimum lot size be; what types of uses should be allowed in a rural area, how big should those areas be; how big should an urban growth area be, should Hoodspport be an UGA; should Union be an UGA; capital facilities. Many issues are to be discussed this year. These discussions will need to be phased in over several months because there is no way to handle that all at once.

Chairperson Kamin asked if any amendments to the Comprehensive Plan would occur at the end of the year.

Mr. Nienaber responded the Board may consider sequencing public hearings on different aspects of the Comprehensive Plan so the public could have an opportunity for comment on one element. The deadline is December 1, 2005 so final action would occur some time in November 2005.

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7. Adoption of Agenda – **Cmmr. Ring Erickson/Sheldon moved and seconded to adopt the agenda as presented. Motion carried unanimously. K-aye; RE-aye; S-aye.**

8. Approval of Consent Agenda:

8.1 Approval of Warrants		
Claims Clearing Fund	83412-83557	\$413,932.67
Salary Clearing Fund	144813-145318	\$1,310,123.76

Cmmr. Sheldon/Ring Erickson moved and seconded to approve consent agenda item 8.1. Motion carried unanimously. K-aye; RE-aye; S-aye.

9. 9:30 a.m. Public Hearings and Items Set for a Certain Time - None

10. Other Business (Department Heads and Elected Officials)

10.1 Termination of County Administrator employment agreement with Ron Henrickson.

Cmmr. Sheldon thanked Mr. Henrickson for his services to the County.

Cmmr. Ring Erickson/Sheldon moved and seconded that the services of Ron Henrickson, employee as County Administrator, be terminated. This is pursuant to Sections 10.1 and 10.2 of the Employment Agreement entered into between the parties on August 6, 2002 and later amended on November 9, 2004. Further, that this is a termination at will and shall become effective immediately this day of January 4, 2005; 5:00 p.m. Motion carried unanimously. K-aye; RE-aye; S-aye.

10.2 Appointment of Acting-Community Development Director and Building Official – Greg Hering, Human Resources Director, noted that Ron Henrickson served as County Administrator and Director of Community Development Department. With Mr. Henrickson's departure there is a need to fill the position of Director of Community Development on an interim basis. He recommended that the Board assign Betty Wing as director on an interim basis.

The Board thanked Betty Wing for her willingness to step forward.

Cmmr. Ring Erickson/Sheldon moved and seconded to appoint Betty Wing as acting Community Development Director and Building Official effective January 4, 2005. Motion carried unanimously. K-aye; RE-aye; S-aye.

10.3 Approval of resolution to amend Mason County Code Chapter 2.02, Departments reporting to the Board of County Commissioners.

Mr. Hering advised that the Mason County Code needs to be revised with the departure of Mr. Henrickson. The Code currently has all directors and department heads reporting to the County Administrator. In the absence of a County Administrator they have a break in the reporting chain of command. He proposed a resolution to have all directors report to the Board of County Commissioners effective January 4, 2005. There would be a new paragraph that in the absence of a county administrator, all departments would report to the County Commissioners.

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Cmmr. Sheldon/Ring Erickson moved and seconded to approve the resolution requiring Directors to report to the Board of Commissioners in the event the position of County Administrator be declared vacant, effective January 4, 2005. Motion carried unanimously. K-aye; RE-aye; S-aye. Resolution No. 01-05 (Exhibit A)

11. Administration - none

12. Board's Reports and Calendar

Superior Court Clerk Pat Swartos encouraged the Board to establish a meeting with the Elected Officials. She also invited the Board to the Clerk's office and meet her staff.

13. Adjournment - The meeting adjourned at 9:44 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Jayni L. Kamin, Chairperson

ATTEST:

Lynda Ring Erickson, Commissioner

Rebecca S. Rogers, Clerk of the Board

Tim Sheldon, Commissioner