

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

MARCH 22, 2005

1. Call to Order – The meeting was called to order at 9:01 a.m. by the Chairperson.
2. Pledge of Allegiance – Chairperson Kamin led the flag salute.
3. Roll Call - Present: Cmmr. Dist. 1 – Lynda Ring Erickson; Cmmr. Dist. 2 – Tim Sheldon, Absent; Cmmr. Dist. 3 – Jayni L. Kamin.
4. Approval of Minutes – **Cmmr. Ring Erickson/Kamin moved and seconded to approve the regular meeting minutes of March 8, 2005. Motion carried unanimously. RE-aye; K-aye; S-absent.**
5. Correspondence and Organizational Business
 - 5.1 Correspondence
 - 5.1.1 Letter from Lower Hood Canal Watershed Implementation Committee (LHCWIC) requesting a meeting to discuss Bylaws for LHCWIC.
 - 5.1.2 Letter from Mary E. Theler Community Center requesting \$17,000 in funding to support the Mary E. Theler Center.
 - 5.1.3 Mason County Lodging Tax Advisory Committee Applicant: Laverne McIntyre.
 - 5.1.4 Letter from Foster & Williams Architects requesting the opportunity to provide architect services for the new fairgrounds.
 - 5.1.5 Letter from Skokomish Tribal Council supporting the interim revisions to the Mason County Flood Damage Prevention Ordinance for the Skokomish Valley provided that it is limited in scope.
 - 5.1.6 Letter presented to the Board from the Belfair Area Round Table (BART) committee, identifying their issues and concerns in North Mason and requesting the Board attend their next meeting on March 29, 2005.
 - 5.1.7 Letter and Petition presented to the Board by Ms. Jean Springer regarding the Crestview Drive road construction in front of their home, and a petition signed by many of their community members requesting the four way stop to remain at the E. Crestview Drive, E Valley Rose Drive, and E. Agate Loop intersection. The letter Ms. Springer presented was from Thomas & Deidra Parker.
 - 5.2 News Release – Spring Dump Vouchers, Staff: Tom Moore, Utilities and Waste Program Manager announced the vouchers for spring cleanup would be distributed on April 2nd, 2005. The vouchers would be available at the Theler Center in Belfair and at the Mason County Utilities and Waste building, in Shelton. There are five hundred vouchers to be issued.
 - 5.3 News Release – Spring Clean Up, Staff: Tom Moore, Utilities and Waste Program Manager, announced the spring cleanup would include yard debris, tires, old barbecues, lawn furniture, and fencing free of charge at the Shelton and Belfair Transfer Stations April 11-24, 2005. There are several other businesses in Mason County taking materials free of charge during the month of April. The businesses are Mason County Wood Recyclers, Mason County Salvage, Shelton Auto Wrecking, Hwy 3 Auto Wrecking and All West Coast Autos. He also thanked the North Mason Fiber and Mason County Garbage and Recycling for their contributions to the spring clean up program.
 - 5.4 Announcement that the Department of Public Works will be spraying herbicides on some of Mason County's roads for vegetation control beginning April 1, 2005. Please contact Public Works for additional information. Mr. Charlie Butros, Public Works Director, announced that a detailed list of the roads involved would be available at the Public Works office, and also listed on the Mason County Web Page. If the property owners adjacent to the areas that are to be sprayed do not want the spraying to take place, they may enroll in the "Owner will Maintain" program. They can contact the Department of Public Works office for additional information. He stated a notice is sent out every year prior to any spraying and has been very successful in getting the information to constituents in the county that do not want areas adjacent to their property sprayed and they have joined into the owner will maintain program. This year there approximately fifty roads would be sprayed with the herbicide.

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Cmmr. Kamin asked if the owner is responsible for the mowing and keeping the vegetation cut back.

Mr. Butros replied yes.

6. Open Forum for Citizen Input

- 6.1 Mrs. Jean Springer is an Agate resident and she spoke about the East Crestview Road project in her neighborhood. She presented a petition signed by many of the community members requesting that the four way stop sign remains in place at E. Crestview Drive, E Valley Rose Drive and E. Agate Loop to protect the people entering the roadway there. She stated that people have been speeding and passing dangerously on that stretch of road. She also presented a letter from a neighbor "the Parker family".

Mr. Butros stated he recognized some of the concerns that Mrs. Springer addressed. Some of the concerns would be addressed prior to the completion, which is scheduled for the spring. He did feel that widening the road, making it flatter, and the guardrails installed have made East Crestview Road a safer road to travel. The speeding on the road is an enforcement issue, not a design issue.

Cmmr. Kamin asked if the speed counter equipment could be moved out to that area.

Mr. Butros replied he would look into it.

Cmmr. Ring Erickson stated she had received some calls of concerns for safety if the four way stop signs are removed. She said she was not clear of the plans for the intersection and if there is an enforcement issue she would like to know so she could pass the information on to the Sheriff's Office.

Mr. Butros stated he didn't recall what the intentions of the particular intersection were but he would find out and would get back with the Board.

- 6.2 Mr. Ed Edminston, a Crestview Drive resident stated the road improvement has turned into a complete disaster and has created a terrible danger for the community members. Prior to the roadwork done, there was a no passing zone from the store to the stop sign and now there are people passing in places where there are left-hand turns. There have been several requests from him and other community members to return that stretch of road back into a no passing zone and the county has refused to listen. He feels the idea of the roadwork was to make it a rural road that was protected. The road is 2.5 miles long and it only takes fifteen seconds to speed on it. He felt that the roadwork that has been done was done carelessly, because there is now a swamp next to the store and some of the driveways are not set properly. He requested there be a quality control inspection of the work that has been done and will be done.

Cmmr. Kamin stated the roadwork is not completed.

Mr. Edminston stated they missed his driveway that has been there for thirty years and cut his phone line three times, twice in one day. His point is that there is a terrible problem people speeding on the road and the no passing zone is the only way to control and help slow the speeders down.

Cmmr. Kamin stated that the no passing zone was certainly something that would be looked into and followed up on.

- 6.3 Mr. Randy Netherlin, Belfair resident thanked the Board for the Lodging Tax dollars that were awarded to help support the Visitor Information Center at the Theler Center in Belfair. He stated the Theler Center was the hub for the Belfair residence and he requested the Board consider the letter that was submitted requesting additional funding support.

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Mr. Netherlin on behalf of the Belfair Area Round Table (BART) committee thanked the Board for participating in the March 5th forum and for holding a special Commissioner meetings in North Mason. He presented the Board with a letter from the BART committee requesting the Board continue coming and participating in their meetings. They plan to continue sponsoring community forums that are issue based.

Cmmr. Kamin thanked Mr. Netherlin and said the Board was looking forward to the special Commissioner meeting in North Mason on March 29th at the Timberland Regional Library.

Cmmr. Ring Erickson stated the agenda would be focused on North Mason area issues.

7. Adoption of Agenda – **Cmmr. Ring Erickson/Kamin moved and seconded to adopt the agenda as presented. Motion carried unanimously. RE-aye; K-aye; S-absent.**
8. Approval of Consent Agenda:
 - 8.1 Approval of Veterans Assistance Fund applications for: Robert K. Arvine – housing \$254.50 and food \$345.50; Gil (Mrs. Mariana) Ruiz, Sr. – utilities \$331.93; James W. Rigney – housing \$600.00; Clark A. Taylor – utilities \$284.52 and food \$315.48; Alex Grzybinski III – food \$600.00; Tara Cox – food \$200.00 and utilities for a total of \$3,080.08.
 - 8.2 Approval of Warrants

Claims Clearing Fund	86576-86977	\$1,157,484.38
Salary Clearing Fund	146842-147093	\$207,049.00
 - 8.3 Approval of an Amendment to Phase I Enhanced 911 Service Agreement with Sprint PCS.
 - 8.4 Approval of an Amendment to Phase I Enhanced 911 Service Agreement with T-Mobile.
 - 8.5 Reappointment of George Campbell to the Mason County Water Conservancy Board for a six year term ending July 2011.
 - 8.6 Approval of amendment #3 to an existing consultant contract between Envirovision and Mason County for additional work on WRIA 16 water quality monitoring for an additional cost of \$20,275.
 - 8.7 Approval to call for bids on Friday, April 22, 2005 at 9:15 a.m. for three special order culverts (concrete box culverts) to be used to replace existing culverts on Satsop Cloquallum Road and Schafer Park Road.
 - 8.8 Approval for Equipment Rental & Revolving Fund Manager to call for bids to furnish Mason County with Emulsified Asphalt for 2005. Bid opening to be Friday, April 22, 2005 at 9:00 a.m.
 - 8.9 Approval of the following forms for the County Road Administration Board (CRAB): Annual Certification for 2004, Certification of Expenditures for Traffic Law Enforcement – 2004, Certification of Expenditures for Fish Passage Barrier Removal – 2004.
 - 8.10 Approval of the resolution to amend the Non-Union Salary Range Table to reflect the upward reclassification of the Deputy Administrator, Juvenile Court (Detention), the establishment of two new positions – the Director of Operations, Commissioners' Office and the Construction and Engineering Manager, Public Works, and the abolishment of two positions in Public Works – Construction Engineering Manager and Engineering Support Services Manager. **Resolution No. 23-05 (Exhibit A)**
 - 8.11 Approval of Amendment #1 to the interlocal agreement for GIS services between the City of Shelton and Mason County dated December 28, 2004, and execute the original document upon receipt from the City of Shelton.
 - 8.12 Approval for the Equipment Rental and Revolving Fund (ER&R) Manager to replace vehicle #104 from the Washington State contracts.
 - 8.13 Approval for ER&R Manager to advertise and hire one Mechanic for the Central Shop.
 - 8.14 Approval for the Chairperson to execute the Local Agency Haul Road/Detour Agreement No. HRD3-0055 with the Washington State Department of Transportation for use of Purdy Cut-Off Road, County Road #41780, for a detour route during construction on SR106.

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- 8.15 Approval of contract with Gray and Osborne, Inc. to perform the following tasks: Task 1. Analyze the existing sewer collection system, transmission piping and treatment facilities and partition them into their appropriate category to determine the appropriate application of the tax rate on the system revenues. Task 2. Amend the 1994 North Bay Case Inlet Facility Plan to specify the connection of the Zion Camp to the sewer collection system.

Cmmr. Ring Erickson/Kamin moved and seconded to approve consent agenda items 8.1 through 8.15. Motion carried unanimously. RE-aye; K-aye; S-absent.

9. 6:30 p.m. Public Hearings and Items Set for a Certain Time

- 9.1 Public hearing to consider a budget transfer in the 2005 Current Expense Fund in the total amount of \$54,652. Staff: Ione Siegler, Budget & Finance Director stated the budget transfer would increase staffing in the Budget & Finance Department, Clerks Office, and the Sheriff's Office.

There was no public comment.

Cmmr. Ring Erickson/Kamin moved and seconded to approve a budget transfer from the Ending Fund Balance in the 2005 Current Expense Fund Budget to Current Expense Fund Departments in the total amount of \$54,652. RE-aye; K-aye; S-absent.

- 9.2 Public hearing to consider a supplemental appropriation to the 2005 Current Expense Fund budget in the amount of \$44,375. Staff: Ione Siegler, Budget & Finance Director stated the budget amendment would increase staffing in the Auditor's Office to add an additional full-time Office Technician I position in Recording, increase an Accounting Technician I position in accounting, from a .75 full-time employee (FTE) to full-time, and increase an Elections Technician I in Elections from .5 FTE to .75 FTE. The total supplemental appropriation to the 2005 Current Expense Fund Budget would be in the amount of \$44,375.

Ms. Siegler stated Mr. Brotche, Auditor had advised her that his office would receive sufficient unanticipated revenue to cover the costs of the increase in staffing.

Cmmr. Kamin asked Mr. Brotche where the unanticipated revenue would come from.

Mr. Al Brotche, Auditor stated that Ms. Pat Sykora, Elections Superintendent had obtained grants from both state and federal agencies. The grants would generate unanticipated revenue of \$150,000 to \$200,000 to support additional staffing in the Auditors Office. He stated he would appreciate the Board supporting his request for additional staffing in the Auditors Office.

Cmmr. Kamin asked if the additional positions that are being requested would meet his staffing needs.

Mr. Brotche stated the additional staff would bring him to the staffing level his department was at in 2003.

There was no public comment.

Cmmr. Kamin stated she applauded Ms. Sykora for her tenacity in pursuing the grants. She acknowledged the unanticipated work that would be coming with the election changes.

Cmmr. Ring Erickson stated she appreciated the work that Mr. Brotche and his staff were doing to make the department as revenue backed as possible.

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Cmmr. Ring Erickson/Kamin moved and seconded to approve a supplemental appropriation to the 2005 Current Expense Fund Budget in the amount of \$44,375. RE-aye; K-aye; S-absent.

Mr. Brotche thanked the Board for providing necessary staffing levels in his department and stated he was sure the citizens would appreciate the additional staff to assist them at the licensing and election counters.

- 9.3 Public hearing to consider an interim revision to the Mason County Flood Damage Prevention Ordinance for the Skokomish Valley to allow for the construction of agricultural structures when they are for the purpose of containing livestock manure. Staff: Bob Fink

Mr. Bob Fink, Planning Manager stated he had received a letter from Mr. Rich Gieger, Mason Conservation District requesting that animal waste structures be allowed in the Skokomish Valley through an amendment to the county ordinances. Mr. Fink investigated and prepared a draft interim ordinance for consideration from the Board. It was seen that quick action was needed so an interim ordinance was needed so there was not a loss of opportunities to protect and enhance the environment in water quality in the Skokomish Valley and Hood Canal. The draft ordinance has a number of findings related to the implications of controlling manure nitrates in the Skokomish Valley and Hood Canal. Mr. Fink prepared two versions of the interim ordinance for the Board and stated the preferred interim ordinance included the use of an anaerobic digester, which may include not just manure but also fish and other waste products that are produced in the agriculture or aquaculture industries in the valley.

Cmmr. Kamin asked if it was necessary to change the regulation to allow for an anaerobic digester.

Mr. Fink replied yes for the structure of it. The current regulation in the Skokomish Valley does not allow the construction of new structures or the expansion of existing structures within the flood plain of the Skokomish River. The entire flood plain has been designated as a floodway and additional requirement is in place that prevents the construction of the structures. The Conservation District has requested the removal of the restriction as far as manure containment and the ability to apply the best management practices for the handling of animal waste in the valley. A public hearing is scheduled for May 17, 2005 where further comments or changes might be considered to the proposed ordinance.

Mr. Fink stated he did receive a letter of comment from the Skokomish Tribe, which was presented in correspondence.

Mr. Nienaber asked if staff was recommending draft one or two.

Mr. Fink replied that he was not recommending one over the other but more of alternatives. He said that in the letter from the Skokomish Tribe they were in support of the proposal as long as it was limited to handling animal waste for the purpose of water quality improvement. Mr. Fink stated that both interim ordinances were consistent with their request.

Mr. Rich Gieger, District Engineer for Mason Conservation District requested the Board support the interim ordinance. He stated he testified before the legislature about the need for an anaerobic digester and felt it was well received and funding would be granted. The Governor has announced she requested in the budget money for the digester. An anaerobic digester is for a numbered best management practice by the Natural Resource Conservation Service. It is primarily intended to handle animal waste but it could process any organic waste. He has requested that the language in the ordinance should state any farm waste and didn't restrict to just animal waste, but any sort of plant and animal waste.

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Mr. Gieger stated that what is absolutely needed in the near term is the approval of version one, because he has a grant award pending that is dependent upon the passing of the ordinance to allow construction of the structure. The grant is for \$100,000 for the Skokomish Valley.

The Board asked for the recommendation of the version that would best suit the Conservation District.

Mr. Gieger replied version two of the draft ordinance would best suit the project he has been working on. Version two of the draft allows the development of structures that would handle other kinds of polluting wastes, other than simple animal manure. He is working with the Skokomish Tribe on the digester project to allow excess salmon carcasses to be processed in the digester.

Cmmr. Kamin thanked Mr. Gieger for all the work his group has done to assist in the improvement of water quality by working to find the best innovative technology and researching ways to reduce the nitrogen producing electricity in the Skokomish Valley and Hood Canal.

Cmmr. Kamin asked Mr. Fink how long the moratorium had been on for the structures in the Skokomish Valley.

Mr. Fink stated he was not sure of the exact date it was adopted but said it was done in early 2003. It was adopted in response to an order of the Growth Management Hearings Board because the county regulation for frequent flooded areas had been petitioned to the State Board and been remanded and in the next to final order they directed the restrictions be put into place. He noted that version one of the draft interim ordinances was widely distributed for public comment and sent to various agencies for review. He didn't believe that version two had been seen by neither the agencies nor the Tribe.

Cmmr Ring Erickson stated she was aware that there was time sensitivity on version one of the ordinances. She questioned if the Board would be better served by approving version one, then circulating and allowing for public comment to be received for version two in two weeks, to ensure proper input was allowed.

Mr. Fink stated the draft ordinance included setting a public hearing in May at which time the Board could take different action. He also stated that the proposed interim ordinance could be changed if necessary at any time if changes were needed.

Cmmr. Ring Erickson clarified that Mr. Fink was more confident of version one of the drafts because it had more of an opportunity to be circulated and commented on.

Mr. Fink replied yes and stated that it was part of the original concept that the changes would be the most minimal as necessary to address the immediate and urgent need.

Cmmr. Kamin asked what the difference was between the drafts.

Mr. Fink pointed out the difference of the two drafts.

Cmmr. Kamin stated that she would be comfortable adopting draft two if the Skokomish Tribe had suggested it be for the purpose of protecting the water quality and due to the fact that it was an interim ordinance that could be changed if it was needed.

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Mr. Nienaber informed Mr. Fink and Mr. Gieger that the Hearings Board had made it frequently clear that when an amendment to a critical area ordinance was done that there needed to be essentially a sound scientific basis or rational basis for the decision. He stated it was also important that there be a necessity for the interim ordinance rather than the normal process. He did feel that Mr. Fink had clarified there was not enough time to run through the public participation process on it.

Mr. Fink stated that he was correct. From the time the problem had been identified until this date he would not have had sufficient time to adopt an ordinance through the normal process.

Mr. Nienaber questioned if the plan would be to run it through a regular public participation process.

Mr. Fink replied yes. He stated that the Comprehensive Plan was being updated as needed through the required Growth Management update this year. Critical areas is one area that will be looked at to see if there is new science calling for changes to the regulations. He would imagine the proposed amendment would be one that would be looked at for a permanent change.

Mr. Nienaber stated that the Hearings Board wants to be sure that there is a sound scientific basis or at least that the regulations that are being proposed are reasonable in light of the particular provisions that are being amended. He asked Mr. Gieger a few background questions pertaining to his job and his knowledge in particular to the conditions at the Skokomish Valley.

Mr. Gieger answered the questions.

Public Comment –

Mr. Cofonni asked for clarification on the two different versions of the interim ordinances proposed. He thought the Skokomish Tribe had worked out a long-term agreement with a company to take all of the fish carcasses so they would not be dumped back into the canal.

Cmmr. Kamin replied she didn't think the agreement was a long-term one for the disposal of fish carcasses. The Tribe was looking into the digester as a possible long-term solution.

Mr. Geiger answered Mr. Cofonni questions and gave him information on the digester and the ways it would resolve some of the issues that are effecting Hood Canal.

Mr. Paul Hunter, stated that the proposed interim ordinance was a positive move and the digester is the newest line of technology. He explained how the Hunter family was contributing and also effected by the changes that are being implemented to clean up Hood Canal. He said he welcomed and supported the interim ordinance that supported the digester.

Public Comment Closed –

Cmmr. Ring Erickson/Kamin moved and seconded to amend the Flood Damage Prevention Ordinance No. 24-05 draft two which allows the construction of certain agricultural structures when they are for the purpose of protecting water quality and in a professional engineer registered in the State of Washington provides a professional opinion with supporting calculations that the structure is at a minimum risk from potential avulsion, and would not raise the base 100 year flood level more than 0.0 feet. RE-aye; K-aye; S-absent. (Exhibit B)

10. Other Business (Department Heads and Elected Officials) – None

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11. Administration - None
12. Board's Reports and Calendar – The Board reported on meetings they attended since March 15, 2005 and also gave their schedule of meetings for the next week.
13. Adjournment - The meeting adjourned at 7:37 p.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