

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

NOVEMBER 7, 2006

1. Call to Order – The regular meeting was called to order at 9:00 a.m. by the Chairperson.
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. Correspondence and Organizational Business
 - 4.1 Correspondence
 - 4.1.1 Puget Sound Partnership sent their draft recommendations for preserving the health and ecosystem of Puget Sound, and to help educate and enlist the public in achieving recovery of the Sound by 2020.
 - 4.1.2 Frank Benavente, Peter Allison, John Diehl, Robert Allen, Eric Erler and Jeanne Koenings are seeking appointment to the Mason County Open Space Advisory Committee.
 - 4.1.3 Merrick Wallace II and George Rickle are seeking appointment to the Mason County Housing Authority.
 - 4.1.4 Dennis L. Pickard, Clifford L. Hall and Marv Faughender are seeking appointment to the Mason County Planning Advisory Commission.
 - 4.1.5 George Rickle is seeking appointment to the Mason County Housing Coalition.
 - 4.1.6 The Washington State Liquor Control Board sent notice of a special occasion license application for Mason General Hospital Foundation and notice of a liquor license application for Town & Country Gas & Food Mart in Grapeview.
 - 4.1.7 Dorthy Marie submitted a petition to change the speed limit on West Star Lake Drive.
 - 4.1.8 Mason County Association of REALTORS submitted their comments on the Industrial lands Needs Analysis.
 - 4.1.9 April R. Hodge expressed her concerns regarding traffic on Highway 3 and the proposed Belfair Bypass.
 - 4.1.10 The Hood Canal Coordinating Council submitted their 2005 audit. (On file with the Clerk of the Board.)
 - 4.1.11 Eileen Sterba is not seeking reappointment to the Mason County Civil Service Commission when her term ends on December 31, 2006.
 - 4.1.12 Heather Parkinson expressed her concerns regarding the Trails End Water District Commission.
 - 4.1.13 The Washington State Department of Natural Resources sent their projection of income from state forest lands. (Copy to Budget and Finance.)
 - 4.1.14 The League of Women Voters of Washington sent their recent study report "The Growth Act of Washington State: Successes & Challenges". (On file with the Clerk of the Board.)
 - 4.2 News Release – Transportation Improvement Program Citizens Advisory Program --Bill Tabor announced that applications will be accepted until November 30, 2006.
 - 4.3 Mason County Declaration of Emergency - This was declared on November 6, 2006 -- **Resolution No. 106-06 (Exhibit A)**
 - 4.4 Public Health Services – It was announced that Steve Kutz, Director of Public Health Services, has resigned.
 - 4.5 Public Works – Charlie Butros, Director – Reported on Road Closures. He announced roads that are closed due to water over the road.
5. Open Forum for Citizen Input
 - 5.1 Frank Kenny, Executive Director of NMCOC, spoke on behalf of the Allyn Comprehensive Plan. He noted that the NMCOC does not have a position on whether the plan is good or bad, but feel that local control is important and encourage the board to defer to their judgment.

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- 5.2 Bill Bruder – Asked that the County provide for cordless microphones for court for jurors. He spoke with Judge Sawyer who is attempting to get funding from the technology department to accommodate that. Mr. Bruder encouraged the county to make this update to the technology.
6. Adoption of Agenda – **Cmmr. Kamin/Sheldon moved and seconded to adopt the agenda as published. Motion carried unanimously. K-aye; RE-aye; S-aye.**
7. Approval of Minutes – **Cmmr. Sheldon/Kamin moved and seconded to approve the briefing minutes for weeks of September 4 and 11, 2006. Motion carried unanimously. K-aye; RE-aye; S-aye.**
8. Approval of Consent Agenda:
- 8.1 Approval to set a public hearing on Tuesday, December 12, 2006 at 9:30 a.m. to consider Road Vacation #349, portion of old right of way for Brockdale Road, as requested by the Estate of Robert W. Coates, Jr. **Resolution No. 107-06 (Exhibit B)**
- 8.2 Approval to set a public hearing on Tuesday, December 12, 2006 at 9:30 a.m. to consider Road Vacation #350, portion of Heckman Street in Union, as requested by Brad Wilson Construction. **Resolution No. 108-06 (Exhibit C)**
- 8.3 Approval to appoint Merrill Wallace to fill a vacated position on the Mason County Housing Authority.
- 8.4 Approval to appoint George Rickle to the Mason County Housing Coalition.
- 8.5 Approval to appoint the following individuals to the Mason County Open Space Advisory Committee: Irving Gunderson, Ken VanBuskirk, John Diehl, Frank Benavente, Peter Allison, Jeanne Koenings, Bob Allen and Eric Erler.
- 8.6 Approval of the Open Space Taxation Agreement with Mark Lyon as recommended by the Mason County Assessor's office.
- 8.7 Approval of a contract amendment with Kenyon Disend, PLLC to provide assistance on cable television ordinance revisions and franchise agreements.
- 8.8 Approval of the professional services agreement with Berryman & Henigar for structural review services.
- 8.9 Approval of the Lake Cushman Community Wildfire Protection Plan as recommended by the Mason County Fire Marshal.
- 8.10 Approval of the Veterans Assistance Fund applications for: Kirk A. Finley - housing \$600.00; Allan S. Brownawell - utilities \$211.27; Lisa Smith - utilities \$259.43; Corrina Lee Brough Schnoor - utilities \$147.61; Ronald Ralstin (Billee) - housing \$600.00; and Sewell Brackett - utilities \$92.09 and food \$200; for a total of \$2,110.40 as recommended by the Veterans Assistance Fund Screening Committee.
- 8.11 Approval to enter into a contract with Gregory Scandrett as the on-site caretaker resident of the Mason County Fairgrounds. This is a no-cost contract.
- 8.12 Approval of a resolution setting a public hearing on November 21, 2006 at 9:30 a.m. in the Commission Chambers to consider a budget transfer in the Current Expense Fund in the estimated amount of \$134,268, and a supplemental appropriation in the Health Services Fund in the estimated amount of \$147,128. **Resolution No. 109-06 (Exhibit D)**
- 8.13 Approval for the County Engineer, Bill Tabor, to sign an agreement with PUD 3 for Public Works to park maintenance equipment at PUD 3's Dayton Facility.
- 8.14 Approval for the County Engineer, Bill Tabor, to sign the reciprocal agreement with State of Washington Department of Transportation and Public Works to provide reimbursable labor, equipment, and materials when available, for road maintenance.
- 8.15 No objections to the names submitted by the Washington State Board on Geographic Names for Elson Creek and Cougar Spit.
- 8.16 Approval of Warrants:
- | | | |
|----------------------|--------------------------|----------------|
| Claims Clearing Fund | Warrant #s 113215-114051 | \$3,528,929.56 |
| Salary Clearing Fund | Warrant #s 161370-162151 | \$1,650,831.23 |

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Cmmr. Sheldon/Kamin moved and seconded to approve the consent agenda as read. Motion carried unanimously. K-aye; RE-aye; S-aye.

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

9.1 Public hearing to consider supplemental appropriations in the Wastewater System Development Fund in the amount of \$134,750 and the Storm Water System Development Fund in the amount of \$50,000 and an Operating Transfer from the Capital Improvement REET 2 Fund in the total amount of \$184,750. Staff: Ione Siegler

Cmmr. Sheldon/Kamin moved and seconded to approve a supplemental appropriation in the Storm Water System Development fund in the amount of \$50,000 and an Operating Transfer from the Capital Improvement REET 2 Fund in the amount of \$50,000 to hire a consultant for the development of Storm water systems. Motion carried unanimously. K-aye; RE-aye; S-aye. Order (Exhibit E)

Cmmr. Sheldon/Kamin moved and seconded to approve Resolution No. 110-06 to set a public hearing on November 21st at 9:30 am to consider supplemental appropriations to the Wastewater System development fund and an Operating Transfer from the Mason County Rural Area (.08) Fund in the total amount of \$134,750. Motion carried unanimously. K-aye; RE-aye; S-aye. Resolution No. 110-06 (Exhibit F)

9.2 Public hearing to consider a supplemental appropriation to the Sheriff/Current Expense Budget in the amount of \$84,424; a supplemental appropriation to the Nondepartmental/Current Expense Fund Budget in the amount of \$24,617; and a nondebtable emergency appropriation to the Jail/Current Expense Budget in the amount of \$216,461. Staff: Ione Siegler

Cmmr. KaminSheldon moved and seconded to approve a supplemental appropriation to the Sheriff/Current Expense Budget in the amount of \$84,424; a supplemental appropriation to the Nondepartmental/Current Expense Fund Budget in the amount of \$24,617; and a nondebtable emergency appropriation to the Jail/Current Expense Budget in the amount of \$216,461. Motion carried unanimously. K-aye; RE-aye; S-aye. Order (Exhibit G)

9.3 Public hearing, continued from October 10, 2006, to receive comments on Ordinance No. 85-06 that enacts an interim ordinance that makes changes to the Mason County Development Regulations concerning recreational vehicle use standards and property sales offices; this ordinance would remain in effect to February 20, 2007.

Allan Borden, Planner, noted at the last hearing three people had made comments and the Board had several questions they felt should be addressed prior to making a recommendation to continue the interim measure, modify it, or rescind it. The underlying concept was there is an increasing use of recreational vehicles as long term residency. Those units are intended to be used on a short term basis or transitional use. The RV Parks in the county provide that service. Over the years, more and more of the operators have been letting people occupy the spaces on an unlimited basis.

He noted the County already has standards that were enacted in 2002 that limit the number of days of stay for an RV from 120-180 days in a 360 day period. The County has not enforced that regulation very strongly. They are dealing with existing parks. The County does not have detailed information on each property and how many mobile homes in a park; how many RV sites in a park; how many RV's are used on a short term basis; and how many RV's are being rented for unlimited periods of time. He questioned if the 120 day stay limit for RV's needs to be longer or deleted.

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Cmmr. Kamin questioned why the Board needs to reaffirm this ordinance. It is an interim ordinance until February 2007.

Mr. Borden stated it was to affirm to change the regulation. There was a request to change regulations that would allow a park model to be used in an RV space.

Cmmr. Sheldon noted that after that meeting, he heard from an association that deals with RV parks and there is a law suit in another county about the 120 day limit.

Mr. Borden stated he was not aware of the lawsuit at this time.

Cmmr. Sheldon commented he is reluctant to take any action until they understand where other counties are on the same issue. Some of the people are staying in a dangerous situation and sometimes not in a dangerous situation.

Cmmr. Kamin asked if that only applies to RV parks or rentals. Someone can live in an RV on their own property or someone else's property.

Cmmr. Ring Erickson stated if there is a regulation on the books since 2002 and the County has not enforced it, what will be the impact of starting to enforce it. Are we doing this to keep ourselves from violating the intent of the Growth Management Act because these areas are outside the Urban Growth Area. She would like to have a briefing to have questions answered.

The staff presentation portion was closed.

Frank Kenny spoke on behalf of himself. There are a lot of older folks that sell the big house and get a motorhome and travel in the country. Then they park the home and have a clean home.

Rob Drexler stated he lived in an RV for 1.5 years while he built a house. He would like to see more discussion on this.

The public comment portion was closed.

Cmmr. Sheldon/Kamin moved and seconded to table this action until further notice. Motion carried unanimously. K-aye; RE-aye; S-aye.

9.4 Public hearing to consider amending the Mason County Comprehensive Plan regarding the Allyn Urban Growth Area.

Steve Goins, Planner, noted the Planning Advisory Commission recommended adoption of this plan.

The beginnings go back to 1997. This document has been nine years in the making and largely put together by community assistance. The Allyn Community Association has a committee that devoted hours of time to put this document together. The first version came in 2002 and was used to help put the interim zoning, that currently is in Allyn. It established some goals and policies in the Comprehensive Plan as well as establish the boundary for Allyn. Over the past four years they have put finishing touches on the plan.

The area that has had the most discussion is the public facility side, particularly in the lower Allyn area, the historic platted area, has a lot of constraints because of the timing of the plat. There is a lot of legal ramifications and how those lots were created. Some of the streets over time were vacated. This plan has helped to address some of those issues. They have some measures in place that will allow

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some of those roads to be converted to county roads to allow some improvement to occur as well as a process to establish a stormwater facilities plan that will include analysis and direction for the lower Allyn area.

Cmmr. Kamin clarified this was submitted incomplete into the Comprehensive Plan update last year and things they needed to work on this last year were the Capital Facilities update: transportation and stormwater.

Mr. Goins clarified the current comprehensive plan has goals and policies for this area. It has an urban growth boundary for this area. This plan was not adopted as it was not complete. The action before the Board will adopt this plan into the Comprehensive Plan.

Rob Drexler, Mason County Association of Realtors, strongly recommended the Board adopt this plan. They are still concerned about the size of the UGA.

Jeff Carey, President of Allyn Community Association, commented the Assoc. is in support of the Comprehensive Plan before the Board.

Jeannette Moore, Chair of Allyn Community Association, also felt it is time to adopt this Plan. She submitted written comments. They feel the size of the UGA is not adequate.

Public testimony was closed.

Cmmr. Sheldon/Kamin moved and seconded to adopt the ordinance amending the Mason County Comprehensive Plan regarding the Allyn Urban Growth Area, and sign the Findings of Fact. Motion carried unanimously. K-aye; RE-aye; S-aye. Ordinance No. 111-06 (Exhibit H)

9.5 Public hearing to consider amending the Mason County Development Regulations and establishing Master Development Plan Development Regulations.

Steve Goins, Planner, noted this process began in 2005 with the adoption of policies to put a framework in place to develop the regulations. Staff worked with the community, large land holders, development interests, realtors and others through workshops to refine the regulations as drafted. The Consultant, Jones & Stokes, is present and can provide some technical insight. The process to adopt this also included a number of hearings before the Planning Advisory Commission. Comments were received this morning by fax from Advocates for Responsible Development.

The regulations allow a process where an applicant can come to the County with a large land holding, go through a process where they work together to come up with a plan that meets the underlying zoning allowing some flexibility within that, and creates a process where the project can be developed in phases. The infrastructure and facilities necessary for this type of development are integrated with the phasing of the project.

Staff will be bringing this back before the Board next year. The low impact criteria currently in the regulations are anticipated to be sunset and integrated into the county-wide stormwater ordinance and low impact criteria that will be developed on a county-wide level. It will allow, in the future, as they make provisions to the stormwater policies to be able to address them in one place.

Rob Drexler, Mason County Association of Realtors, expressed the staff has done a great job on this issue and it is good plan to start innovative housing plans. They would still like some Planned Residential Development regulations for smaller projects like this. They strongly recommend the Board adopt the plan as it is, but would like to see some things next year.

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Public testimony closed.

The Board recessed for 10 minutes until 10:45 am

Cmmr. Kamin/Sheldon moved and seconded to adopt the Ordinance amending the Mason County Development Regulations and establishing Master Development Plan Development Regulations. Motion carried unanimously. K-aye; RE-aye; S-aye. Ordinance No. 112-06 (Exhibit I)

10. Other Business (Department Heads and Elected Officials) - None
11. Board's Reports and Calendar – The Board gave highlights of meetings attended the past week and announced schedules for upcoming week.
12. Adjournment – The meeting adjourned at 10:48 am

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Lynda Ring Erickson, Chair

ATTEST:

Tim Sheldon, Commissioner

Rebecca S. Rogers, Clerk of the Board

Jayni L. Kamin, Commissioner