

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

FEBRUARY 6, 2007

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 – Ross Gallagher.
4. Correspondence and Organizational Business
 - 4.1 Correspondence
 - 4.1.1 The Washington State Department of Health, Office of Drinking Water, has adopted new water use efficiency rules. (Booklet on file with the Clerk of the Board.)
 - 4.1.2 The Washington State Department of Natural Resources sent their 2006 Annual Report. (On file with the Clerk of the Board.)
 - 4.1.3 The Washington State County Road Administration Board sent their 2006 Annual Report.
 - 4.1.4 The Washington State Liquor Control Board sent notice of liquor license applications for the Rice Bowl in Belfair and Lil Moe's in Belfair. They also sent notice of a special occasion license application for Faith in Action West Sound, Belfair. 3/17/07
 - 4.1.5 Skagit County Commissioner, Don Munks, is seeking consideration for appointment as the Timber Counties Representative on the Board of Natural Resources.
 - 4.1.6 Mason County Fire District 2 appeals to reject the current resolution for separation of the Mason County Public Hospital District No. 1.
 - 4.1.7 The Port of Shelton Commission expressed their support of the Mason County Economic Development Council's request for Mason County Distressed Area Capital funds.
 - 4.1.8 The Washington State Senate sent information regarding Senate Bill 5121 and the long-term Air Transportation Study.
 - 4.1.9 Charlene Fowler expressed her concerns regarding solid waste violations and animal control issues in Beards Cove. (Copy to Environmental Health and Sheriff's Office.)
 - 4.2 Staff Recognition – Sheriff Salisbury read a new mission statement for the Sheriff's Department. He recognized Russell Osterhout who was promoted to Chief Criminal Deputy and Chief Civil Deputy Howard Armfield for his years of service.
 - 4.3 News Release – Mason County Parks and Trails Advisory Board -- John Keates – It was announced that applications are being accepted through Friday, February 23, 2007 to serve on a newly established advisory board.
5. Open Forum for Citizen Input
 - 5.1 Bill Windelton, Collins Lake, thanked the Board for the presence at the recent meeting in Belfair. He asked that the Board take a look at the Sheriff's budget. They need more police in North Mason.
 - 5.2 Ken VanBuskirk also thanked the Board for coming to Belfair. He read the news release regarding the Transportation Partnership Act and the community is excited. He read the North Mason School Board Resolution 15-G-06 Belfair Alternate Route Position Statement urging the construction and completion of the new alternate route around Belfair prior to any infrastructure improvements to the current Highway 3 corridor.
6. Adoption of Agenda – **Cmmr. Ross/Sheldon moved and seconded to adopt the agenda as presented. Motion carried unanimously. G-aye; RE-aye; S-aye.**
7. Approval of Minutes – **Cmmr. Sheldon/Ring Erickson moved and seconded to approve the regular meeting minutes for December 5 and 12, 2006 and briefing minutes for the weeks of January 1 and January 22, 2007. Motion carried. G-abstained; RE-aye; S-aye.**
8. Approval of Consent Agenda:

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- 8.1 Approval of Veterans Assistance Fund applications for: Ronald G. Polluck (Linda) - Housing \$300.00 and food \$300.00; Chris Greiner - Utilities \$305.14 and food \$294.86; Leonard Wilford - food \$200.00; Bobby Gullotto - housing \$400.00 and food \$200.00; George Harmon - housing \$600.00; John Ulmer - housing \$322.00, utilities \$148.15 and food \$129.85; Kimberly Mougous - housing \$600.00; Herbert Howlett - utilities \$304.26; Lisa Smith - utilities \$61.79 and food \$200.00; Roy K. Oster (Rose) - utilities \$600.00; Chip Thomas Proctor - utilities \$600.00; Douglas Drinkall - utilities \$282.95; Thomas Roberts - utilities \$246.96; Matthew G. Knudsen - food \$600.00; Curtis P. Schnitzer - utilities \$238.85; and Robert Bacon utilities \$114.31 and food \$485.69 for a total of \$7534.81 as recommended by the Veterans Assistance Fund Screening Committee.
- 8.2 Approval for the Chair to sign the Deed and any other documents relating to the transfer of Harvey Rendsland State Park from the State of Washington to Mason County.
- 8.3 Approval for the Parks and Trails Department to use the post for quotes/telephone bid procedure for fertilizer and grass seed.
- 8.4 Approval to reappoint Ray & Merle Dingfield to the Area Agency on Aging Advisory Board for a two-year term.
- 8.5 Approval to set a public hearing on Tuesday, February 27, 2007 at 6:30 p.m. to review the request by Linda Christenson to rezone a 2.57 acre parcel on Harstine Island from Rural Residential 5 zone to Rural Tourist Campground zone.
- 8.6 Approval of the Interlocal Agreement #HDC.1366 with Clark County Public Health to implement the requirements of the AIDS Omnibus Legislation and the requirements of the Ellensburg Agreement. The total is \$56,241 for the period of January 1 through December 31, 2007.
- 8.7 Approval of the Washington State Department of Social & Health Services amendment to Agreement #0563-75735-02 to increase the funding for Medicaid Administrative Match services. Total consideration for this contract is increased by \$180,000.
- 8.8 Approval of the Washington State Department of Social & Health Services amendment to Agreement #0663-98797-01 to increase the funding for Alternative Response/Early Intervention Program services and extends the performance period through 6/30/07. The total consideration is increased by \$20,174.
- 8.9 Approval of the affidavit for uncollectible personal property taxes in the total amount of \$9,468.58 as recommended by Lisa Frazier, Mason County Treasurer.
- 8.10 Approval to appoint David Robbins to serve on the Mason County Noxious Weed Control Board to fill a vacant position for District 5. His term will end March 2008.
- 8.11 Approval for the Chair to sign the Interlocal Cooperative Use Purchasing Agreement with the City of Camas.
- 8.12 Approval for the Chair to sign the Interlocal Cooperative Use Purchasing Agreement with the City of Issaquah.
- 8.13 Approval to reject all bids to furnish Mason County with one new 2007 Cab and Chassis with Sewer Jet for Public Works as recommended by the Equipment Rental & Revolving Fund Manager.
- 8.14 Approval for the Director of Public Works to sign the two year Service Agreement for the year 2007-2008, as presented, between Mason County Public Works and the Washington State Patrol to provide traffic control and safety patrol during maintenance and construction projects.
- 8.15 Approval for the Chair to execute Supplemental Agreement No. 2 to Consultant Agreement with Helix for the new Public Works facility and Vehicle Maintenance Shop to include the master planning, phase 1, for the Mason County Fairgrounds.
- 8.16 Approval to set a public hearing on Tuesday, March 6, 2007 at 9:30 a.m. to rename all of Vista Place (County Road Number 78610) to Bartlett Place (County Road Number 78610).
- 8.17 Approval to enter into the Washington State Association of Counties County Inmate Program (CIP) to reduce medical costs associated with county inmates and to establish a self-insurance pool within two years.
- 8.18 Approval to enter into an Interlocal Agreement with Kitsap County for Household Hazardous Waste. The cost is approximately \$25,000 annually with a Coordinated Prevention Grant covering 75% of the cost.

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- 8.19 Approval for the Utilities & Waste Management Department to Request for Proposals for recycling containers (Blueboxes) for the recycling program.
- 8.20 Approval of Warrants:
Claims Clearing Fund Warrant #s 117425-118326 \$1,661,626.27
Salary Clearing Fund Warrant #s 163786-164062 \$1,677,596.40

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

9. 9:30 a.m. Public Hearings and Items Set for a Certain Time
- 9.1 Public hearing continued from January 23, 2007 to consider an amendment to the Belfair/Lower Hood Canal Water Reclamation Facilities Plan (Belfair Facility Plan), including establishing a Limited Area of More Intensive Rural Development (LAMIRD) along the North Shore/Hood Canal area.

Tom Moore, Utilities & Waste Management Deputy Director, noted that the hearing was continued to allow commissioners to receive additional public written testimony and to hold a workshop on January 30, 2007 in Belfair.

The staff recommends the Board make three separate motions:

- 1) Approve the Comprehensive Plan amendment to create a Limited Area of More Intensive Rural Development (LAMIRD) along the North Shore/Hood Canal area.
- 2) Approve the Comprehensive Plan amendment to adopt the Belfair Facility Plan amendment.

OR Approve the Comprehensive Plan amendment to adopt the Belfair Facility Plan amendment with no sewer service to the LAMIRD at this time.

- 3) Direct the staff to prepare an ordinance implementing these actions and to bring it back for Commission approval on the Board Consent Agenda on Tuesday, February 13, 2007.

There was no public present to comment on this matter.

Cmmr. Sheldon stated there has been a lot of good discussion about sewer service to the North Shore of Hood Canal. They have had the consultants look at the soil conditions. They have had some analysis of the parcels and number of parcels. They have had some good testimony from local citizens that are very committed to the environment and their community. The three commissioners had a meeting with two of the legislators with the governor last week and are still seeking additional funds for the Belfair sewer inside the Urban Growth Area. They left that meeting somewhat encouraged. It is difficult to find \$9 million dollars. They have secured \$16 million in grant funds and \$2.4 million in loan funds. They still need about \$9 million to make the sewer in the Urban Growth Area a reality. An UGA must have urban services. That is their first priority to get that accomplished. He voiced reluctance to create a Limited Area of More Intensive Rural Development at this time because they need to do sewer in Belfair first. It would complicate their funding request. Finding \$9 million additional in this budget with the state legislature would be difficult, but he believes it is doable. To find another \$8.8 million to go out to the Belfair State Park would be something they are asking way too much. He felt that perhaps they should not form the LAMIRD at this time. If they did, it may open some opportunities, but on the other hand there has not been enough discussion about the land use ramifications of that action. There may be some unintended consequences created in that area, the narrow strip between the Belfair UGA and the Belfair State Park if they adopt it at this time. He would not favor trying to sewer the area this year. The emphasis should be on the Belfair UGA. If they approve these motions they could be taking away some of the arguments and some of the effort they have to make in Belfair. He does not favor a motion at this time.

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Cmmr. Gallagher stated he appreciated all the testimony they received in recent weeks. Also, right now their focus is on the Belfair UGA. He concurs with Cmmr. Sheldon to not recommend the LAMIRD at this time. They need the money right now for the UGA.

Cmmr. Ring Erickson added, at this point, she favors only sewerage the UGA; however, she favors establishing a LAMIRD. One, the potential to get grant funding to do innovative small cluster systems is open by having it be a LAMIRD; it does give some potential land use options to be a little bit more creative. She doesn't want to do anything at this time to discourage environmentally healthy and development consistent with the rural character in the North Shore area. She believed the LAMIRD is the most effective way to do that. At the same time, she does not favor having big pipe sewer in that area.

Cmmr. Sheldon/Gallagher moved and seconded to adopt the Belfair Facility Plan, without the establishment of a LAMIRD and with no extension of a sewer to the North Shore potential LAMIRD area at this time. Motion carried unanimously. G-aye; RE-aye; S-aye. Resolution No. 13-07 (Exhibit C)

9.2 Public hearing to consider readdressing Orre Nobles Road.

Brenda Jantz, Addressing, presented the staff report recommending approval of the resolution to readdress Orre Nobles Road to be in compliance with Ordinance No. 107-97. She explained that the road was named after a gentleman that came to Union in the early 1900's. He looked for work as a teacher and taught at the one-room Union school and then taught Art as an instructor for many years at the Ballard High School in Ballard. His family began and ran a resort called Olympus Manor in the early to mid 1900's. From 1925 – 1952 a world class music festival was also held in that area. This is an important road to the Union area.

They received a letter from one of the citizens on the road. The road currently runs from East to West and its connector State Route 106 runs from West to East. The odd numbered addresses are on the right hand side of the road, the even numbered addresses are on the left hand side of the road, which is in opposition to the addressing ordinance. They are hoping to correct that and make the best possible situation for emergency services should they be needed.

The proposal is to readdress the remaining parcels to reflect the West to East direction of the roadway and also to correct the odd and even sides of the roadway in compliance with County Ordinance No. 107-97.

There are 18 people that would be affected by this. They were sent correspondence that this was coming and the hearing was coming.

Cmmr. Gallagher/Sheldon moved and seconded to approve the resolution to readdress Orre Nobles Road to be in compliance with Ordinance 107-97. Motion carried unanimously. G-aye; RE-aye; S-aye. Resolution No. 11-07 (Exhibit A)

9.3 Public hearing to review the request by Gregg Paisley to rezone four parcels within the Rural Area from Rural Residential 5 zone to Rural Tourist Campground zone, to provide tourist destination and camping sites for overnight stays in the Shelton/Oakland Bay area.

Allan Borden, Planner, noted there were three comment letters received on Monday, February 5, 2007. Also, there is a copy of some introductory information sent to the Board. He presented the rezone request for the above noted matter. This is one of the property rezone requests that the County does on an annual basis. This request involves four parcels that total 50.24 acres. If the four parcels or subset is approved for rezone, his anticipated use of the property is a small-scale tourist and campground land use for overnight stays of visitors in the area.

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Three of the parcels are five acres in size and one is 25 acres in size. It is located on State Route 3 on the North side of the highway, approximately between Mason Lake Road and Deer Creek to the east. The existing adjacent land uses in the immediate area are Rural Residential. There is a 4.5 acre piece of property that is about 1,000 feet to the south that was rezoned to Rural Tourist Campground in late 2003.

Under the Rural Tourist Campground Zone there is a floor area ratio of 1:20 each. The total square footage of building floors can only occupy 5% of the land area. That provision is intended to keep the scale of development fairly controlled at a low scale to maintain rural character. If the property is approved for rezone, a proposed development would be reviewed first through a pre-application conference with county departments. The applicant is currently proposing a campground and tourist entertainment facility. That campground and site plan for development will have to be reviewed through a campground park permit, which is a county permit reviewed by the County Hearings Examiner. At this time, they are reviewing the proposed rezone. If that is approved, there will be further public review on a specific project. Based upon the information provided by the applicant, the county staff would recommend approval of the request. It is an appropriate zone for a proposed land use to establish a small scale recreation and tourist land use in the county.

Public health and safety issues and area traffic concerns need to be addressed and resolved in the campground permit process. Mason County Comprehensive Plan Policies do provide for land uses in the natural setting that serves tourists and visitors and benefit the rural economy while being compatible with adjacent land uses. Low-density rural sprawl would not result or affect services provided in the area. The potential traffic impacts must be addressed early in the process if the development is to proceed through the campground park permit. Compact design of improvements will need to protect the stream and slopes that exist on the property. There is a stream that flows through the property adjacent to the existing farmhouse and off the property to the southeast. There should be no added pressure to change zoning or affect population growth of properties in the vicinity.

Based upon the rezone criteria they would recommend approval of the request.

Cmmr. Gallagher asked if this is approved can Mr. Paisley have a family reunion type of event.

Mr. Borden stated that is a one time only event. That likely could occur without a problem. If they are talking two weeks or a month that might arise public concern.

Cmmr. Sheldon asked about access to the site.

Mr. Borden responded the current access is for residential access for two or three properties. It would have to be upgraded or improved through the state highway department.

Cmmr. Sheldon asked if there is any road to the property now.

Mr. Borden replied there is a single driveway that serves the two or three properties.

Cmmr. Ring Erickson asked if the kinds of things proposed for the facility run into a need for approval in the Festival Ordinance.

Mr. Borden stated he was unsure.

Cmmr. Ring Erickson stated she would like an answer to that question. Also, physically, she questioned what the distance is between this property and Oakland Bay. She was concerned about the surface and stormwater impacts to the Oakland Bay area.

Mr. Borden replied it is approximately 800'.

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Cmmr. Ring Erickson understood that under the Growth Management Act they can permit this kind of use, but there is no mandate to approve it.

Mr. Bordon concurred that the Board is not mandated to approve this type of request.

Greg Paisley, Applicant, spoke to the Festival Ordinance, which was fashioned after the state ordinance. The state ordinance states that any festival over five hours and involving more than 2,000 people require a permit. The County ordinance requires that any festival over 5 hours and more than 200 people require a permit. It will be rare that there would be continuous music for more than 5 hours. It would almost never trigger the Festival Ordinance. Also, the ordinance only applies to one time event. It does not apply to established auditoriums. For example, sports arena, everyone knows that sports arenas are used for concerts. It seems to be clear that if they establish a fixed amphitheater, there is actually two on this proposal, it probably would not trigger the festival ordinance because they are established and licensed and have all the proper support.

He spoke to the sanitation in Oakland Bay. In the materials dropped off, there is a comment. The county will require septic systems. He will be required to put in septic systems for black water and grey water. He is okay with doing that, but not okay with putting black water in the ground. In the notes it mentions that he has decided to take on the considerable expense of alternate means of sanitation, for example foam flushing compost toilets, vaults and pumpouts for spike usage; separate gray water and black water systems. This is a family business.

The road is a driveway; however, the driveway appears to be a public road because it is a fairly substantial driveway. It has been misidentified as a public road. The person most concerned with the project is Mr. Lund whose property it runs across. Mr. Paisley spoke to Mr. Lund about the proposal and he is okay with it.

Cmmr. Sheldon stated they are looking at a rezone. Sewer and water systems are all permit issues.

Kathryn Meacham Lofton, lives within the 300' zone but not actually next to the property. She asked how long it will take, if the rezone is approved, before they go into the permitting process.

The Board stated it could be days or years. It is up to the individual to apply for the permit. The issue before the Board is the rezone and not the proposed development.

Cmmr. Ring Erickson voiced concern that they are creating a strip mall of rezoned potential camping areas from Shelton to Belfair. She encouraged staff to work with the Board earlier in the process when it comes to recreational and tourist developments.

Cmmr. Sheldon concurred to urge the staff, public, Department of Transportation and others to be involved in the permit process.

Cmmr. Sheldon/Gallagher moved and seconded to approve the request by Gregg Paisley to rezone four parcels totaling 50.24 acres and north of Shelton from Rural Residential 5 zone to Rural Tourist Campground zone, and to have the Chair sign Findings of Fact for that decision. G-aye; RE-aye; S-aye

- 9.4 Public hearing to adopt an ordinance extending the Interim Zoning Ordinance/Map for the Allyn Urban Growth Area until June 30, 2007.

Barbara Robinson, Community Development, presented the staff report and recommendation to adopt an ordinance as noted above. The extension is necessary to allow additional time to modify the existing interim ordinance by the inclusion of established design, landscaping and view corridor standards and to finalize recommended code and map changes that have been identified over the last year. The Interim Zoning Regulations are needed to allow for on going project and community development during the update process.

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Cmmr. Ring Erickson stated it appears they have been on the interim process for a long time. When government defers and does not get things done it tends to breed disrespect for the planning process. She questioned if there is something troublesome about this.

Mrs. Robinson stated there has been a lot of public input and concern with the area of the community of Allyn to make sure they have appropriate design standards and landscaping standards in place. They also have some compliance issues with the Western Washington Growth Management Hearings Board on stormwater issues that are related to this. There are major portions that need to be included in the Allyn zoning and the Comprehensive Plan Amendments, which are done over the last couple of years.

Jeff Carey, Allyn Community Association, voiced their support of the extension. They would like to have it adopted a long time ago, but the Comprehensive Plan is taking a while to complete. They have had different issues. They have been able to work their way through the process, but it is long.

The Board noted they do support the staff work in particular over the past couple of years has helped this effort.

Cmmr. Sheldon/Gallagher moved and seconded to adopt an ordinance extending the Interim Zoning Regulations and map for the Allyn Urban Growth Area until June 30, 2007. Motion carried unanimously. G-aye; RE-aye; S-aye. Ordinance No. 12-07 (Exhibit B)

10 Other Business (Department Heads and Elected Officials)

10.1 Announcement – Simmons Road Intersection Review.

Charlie Butros, Public Works Director, provided an update and announces a decision regarding the Simmons Road project. The Simmons Road project is one of many projects that were approved in 2005 by the legislature under the Transportation Partnership Act. The purpose of that was to provide a connector road between Lynch Road and Old Olympic Highway to reduce the amount of crossing traffic across Highway 101 at the Lynch Road intersection to provide for improved safety at the intersection. The Dept. of Transportation requested that Mason County Public Works assist them by overseeing the project. They accepted doing that recognizing the eventual connector road would be a county road. They have been exploring alternatives for connections with Lynch Road and Old Olympic Highway. They are at a point to announce the preferred intersections at Lynch Road and Old Olympic Highway and proceed to the design stage.

There were two alternatives evaluated for the intersections on Lynch Road: one close to the businesses at Taylor Towne and one farther east on Lynch Road close to the northwest intersection. There were three alternatives for intersections along Old Olympic Highway: One using the existing Simmons Road; one creating the new intersection across from the intersection of the access road for the Squaxin Child Development Center; and the third creating another intersection farther to the south along Old Olympic Highway.

The selected options were the intersection at Lynch Road close to Taylor Towne routing the road between Taylor Shellfish and the businesses that front the highway. The intersection selected for Old Olympic Highway was the one across from the existing access to the Child Development Center. They are ready to proceed with that project in the design and right-of-way acquisition phases. The funding provided through the Transportation Partnership Act was a \$1million. The preliminary estimates for the project cost is approximately \$3.6 million. They recognize that the project is currently underfunded. In the discussions with Department of Transportation they have encouraged them to proceed with the design phase and right-of-way acquisition phases which they feel the existing funding is adequate. They will continue to seek additional funding to support the construction phase.

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Cmmr. Gallagher asked if there would still be a provision for the right turn lane from State Route 101 onto Lynch Road and from Lynch Road to go towards Shelton.

Mr. Butros understood from Dept. of Transportation (DOT) that those access options would continue. The intersection is a DOT responsibility. He also understood that the left turn for traffic coming south to access Lynch Road would continue. They will continue to evaluate the safety of that.

Cmmr. Ring Erickson stated that there is a continuing issue of educating or re-educating the business community about the proposal.

Cmmr. Sheldon stated if they had known then, in 2005, what they know now when the legislature was considering the 274 projects in the Transportation Partnership Act, this project appeared to be a simple extension of the Simmons Road. Further analysis after the \$1 million was obtained it became apparent, because of springs on the road, difficult grade, other considerations, the project had to be changed to do an adequate job.

11. Board's Reports and Calendar - The Board shared highlights from the past week's calendars and announced meetings for the upcoming week.
12. Adjournment - The meeting adjourned at 10:35 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Lynda Ring Erickson, Chair

ATTEST:

Tim Sheldon, Commissioner

Rebecca S. Rogers, Clerk of the Board

Ross Gallagher, Commissioner