

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

MARCH 20, 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.
 - 4.1 Correspondence
 - 4.1.1 Joyce Weber has questions regarding a memorial for the late Mason County Coroner, Martha Reed. (Copy to Facilities and Grounds)
 - 4.1.2 The Washington State County Road Administration Board is seeking nominations for the WSACE "Engineer of the Year".
 - 4.1.3 The Washington State Department of Health is reclassifying a portion of Lilliwaup Bay in Hood Canal #5 commercial shellfish growing area in Mason County from Prohibited to Approved. (Copy to Environmental Health.)
 - 4.1.4 The National Association of Counties confirmed Commissioner Lynda Ring Erickson's appointment to the Public Lands Steering Committee.
 - 4.1.5 The Washington Health Foundation is seeking a contact person who can provide information and progress reports on a grant they awarded to the Mason County Health Department in June 2006. (Copy to Betty Wing)
 - 4.1.6 The Western Conference of Teamsters Pension Trust announced that the collective bargaining agreement for Appraisers, General Labor and Juvenile Detention has been accepted. (Copy to Human Resources.)
 - 4.1.7 Kenyon Disend, PLLC sent their Recommended Course of Action for Cable Regulations and Franchising.
 - 4.1.8 Paul Murdy, Vice President of the Mason Benson Club, provided the content of his Committee's meeting discussions, and requested that the Commissioners attend the next Committee meetings
 - 4.1.9 The Washington State Liquor Control Board sent notice of establishments in Mason County with liquor licenses due to expire on June, 30 2007.
 - 4.1.10 The Mason County Fire Chiefs Association unanimously support the ballot proposition of One Tenth of One Percent Sales Tax for Emergency Communications. (Copy to Budget & Finance and Sheriff's Office.)
 - 4.1.11 William Hunter expressed his concerns regarding the Purdy Creek and SR 101 Road Project.
 - 4.2 Betty Wing read aloud the Proclamation declaring March 24 as Chief Richard A. Knight Day. Chief Knight has over 50 years of fire service to Mason County. Fire District 5 is hosting a banquet in his honor on Saturday.
 - 4.3 Barb Robinson, Department of Community Development Director, read aloud a letter from Michael Lawrence recognizing Rebecca Herscha and Stephanie Pawlawski for their great service. Chair Ring Erickson presented Rebecca and Stephanie with Green Star awards.
 - 4.4 John Keates, Parks & Trails Director, presented a news release that talks about the Sandhill Park Dedication Ceremony on Saturday, April 14 at 10 a.m.
 - 4.5 Charlie Butros, Public Works Director, read the notification that Arcadia Drilling, Inc has been awarded the bid for the well drilling improvement project at the new Public Works Facility and Maintenance Shop property for the amount of \$25,640.

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5. Open Forum for Citizen Input

Jane McBride, 311 E Sandy Lake Road, Shelton, talked about large dogs on her property that keep her from enjoying her property. The dogs are very aggressive and they have talked to the neighbors who will not do anything about it.

Cmmr. Ring Erickson asked if she has talked to the Sheriff.

Ms. McBride replied she has and has been told if they feel threatened they can shoot the dogs, but she doesn't want to do that. She wants to work with the County to solve the problem.

6. Adoption of Agenda

Cmmr. Gallagher/Sheldon moved and seconded to adopt the agenda s published. Motion carried unanimously. RE-aye; S-aye; G-aye.

7. Approval of Minutes – regular meeting minutes for March 13, 2007

Cmmr. Sheldon/Gallagher moved and seconded to adopt the regular meeting minutes of March 13, 2007. Motion carried unanimously. RE-aye; S-aye; G-aye.

8. Approval of Consent Agenda:

- 8.1 Approval of the resolution establishing the departments who report to the Board of Mason County Commissioners as the following: Budget & Finance/Risk Management; Central Operations; Facilities & Grounds; Human Resources; Community Development; Parks & Trails; Public Health; Public Works and Utilities and Waste Management. **Resolution 23-07 (Exhibit A)**
- 8.2 Approval of the resolution amending the 2007 Solid Waste fees for the Solid Waste Facility & Drop Box Station reflecting a decrease of five cents per ton and adding a permitted hauler rate. **Resolution No. 24-07 (Exhibit B)**
- 8.3 Approval of the Lodging Tax Fund applications for: The North Mason Chamber of Commerce, \$28,118 - scrolling reader board; the Shelton Drag Association, \$8,000 - advertising; the Mason County Forest Festival, \$2,000 - advertising; Mason County, \$50,000 -future Fairgrounds and Save Our County's Kids, \$1,500 - Shelton Old Time Fiddlers Fest, for a total of \$89,618. as recommended by the Lodging Tax Advisory Committee.
- 8.4 Approval of the Veterans Assistance Fund applications for: Robert Rammar - utilities \$161.14; Dennis J. Hillman - utilities \$ 565.42 and food \$34.58; Robert K. Arvine - food \$600.00; George W. Roberts - utilities \$192.97; Rodney James Thurman - housing \$531.95; Robert L. Cox (Iris) - food \$600.00; and Charles W. Belander - utilities \$332.30 for a total of \$3,018.36 as recommended by the Veterans Assistance Fund Screening Committee.
- 8.5 Approval to set a public hearing on Tuesday, April 10, 2007 at 9:30 a.m. to review the request by John and Marylou Borgert to rezone three parcels totaling 69.64 acres, from Rural Residential 10 to Rural Residential 5 zone in the Rural Area of Mason County.
- 8.6 Approval of the 2007 Mason County Personal Health Fee Schedule as adopted by the Board of Health - Resolution No. 03-06 on November 14, 2006. **Resolution 25-07 (Exhibit C)**
- 8.7 Approval of the resolutions establishing Fund #113-000-000 Reserve for Courts – **Resolution No. 26-07 (Exhibit D)**, Fund #116-000-000 Historical Preservation – **Resolution No. 27-07 (Exhibit E)**, Fund #135-000-000 Trial Court Improvement – **Resolution No. 28-07 (Exhibit F)**, Fund #140-000-000 Sheriff's Boating Fund – **Resolution No. 29-07 (Exhibit G)**, and Fund #480-000-000 Storm Drainage System Development Fund – **Resolution No. 30-07 (Exhibit H)**.
- 8.8 Approval of the following 2007 budget transfers: from Accountant to Finance Manager in the Sheriff's budget and from Clinic Nurse to Public Health Nurse in the Personal Health/Nursing Budget.
- 8.9 Approval of the Mason County Parks and Trails Department Park Development Partnership Program with implementation in 2007 by funding one pilot project not to exceed \$50,000. **Resolution 31-07 (Exhibit I)**

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- 8.10 Approval of the following appointments to the Mason County Parks and Trails Advisory Board: Arvilla Ohlde, John Eaton, Oscar Larson, Linda Archambeau, Susan Baker, Mike Jensen, Frank Benavente and Billie Schmidt as an alternate.
- 8.11 Approval of the amendment to the Gray and Osborne, Inc. agreement to include the scope and fee schedule to design and provide construction management services for additional storage capacity at the Allyn Pump Station.
- 8.12 Approval of the Annual Certifications for Calendar Year 2006; Certification of Expenditures for Traffic Law Enforcement – 2006 and Certification of Expenditures for Fish Passage Barrier Removal – 2006, to be included in the annual submittal to the County Road Administration Board by the Department of Public Works.
- 8.13 Approval for the Equipment Rental & Revolving Fund Manager to call for bids to furnish Mason County with Emulsified Asphalt for the year 2007. Date and time of opening to be April 18, 2007 at 9:00 am. Bid award is anticipated at the April 24, 2007 meeting of the Board of Mason County Commissioners.
- 8.14 Approval of the agreement extension with Day wireless Systems of Olympia, WA for radio maintenance services from April 1, 2007 to March 31, 2008 with the current terms and conditions.
- 8.15 Approval for the Equipment Rental & Revolving Fund Manager to call for bids to furnish Mason County with one used Yard Truck for the Department of Utilities and Waste Management. Approximate cost, \$50,000 plus tax. Date and time of opening to be April 18, 2007 at 9:30 am.
- 8.16 Approval for the ER&R Manager to surplus certain vehicles and computer equipment and authorize the ER&R Manager to dispose of them at the Washington State Surplus Sale. The list of surplus equipment is available upon request.
- 8.17 Approval of Warrants:
- | | | |
|----------------------|---------------------------|----------------|
| Claims Clearing Fund | Warrant #s 119626-120433 | \$1,708,726.45 |
| Salary Clearing Fund | Warrants #s 165699-165973 | \$ 252,511.00 |

Emmett Dobeay asked if Item 8.3 could be discussed regarding the LTAC allocation for a North Mason Chamber of Commerce sign. He has concerns if it meets the sign ordinance requirements.

Cmmr. Ring Erickson asked that Item 8.8 be discussed.

Cmmr. Gallagher/Sheldon moved and seconded moved and seconded to approve the Consent Agenda as published with the exception of Items 8.3 and 8.8 Motion carried unanimously. RE-aye; S-aye; G-aye.

Cmmr. Sheldon/Gallagher moved and seconded to approve Item 8.3 with the exception of the North Mason Chamber of Commerce allocation for \$28,118. Motion carried unanimously. RE-aye; S-aye; G-aye.

Cmmr. Sheldon pointed out they are not disapproving the request, they are allowing additional time for review.

Cmmr. Ring Erickson asked if Item 8.8 amounts to a salary increase for the position in the Sheriff's office.

Ione Siegler, Budget & Finance Director, responded, yes, the accountant position will no longer be used and this request is in line with the Sheriff request of last week that was reviewed with the Board.

Cmmr. Sheldon/Gallagher moved and seconded to approve Item 8.8 as presented. Motion carried unanimously. RE-aye; S-aye; G-aye.

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

9.1 Public hearing to take comment on amending Mason County Code Chapter 3.40, Mason County Property Management and Disposal.

Betty Wing, Central Operations Director, stated the proposal is to amend Chapter 3.40, Mason County Property Management and Disposal, to allow additional methods to be used and make the process easier to dispose of surplus property. Ms. Wing noted this is property that did not sell through the Treasurer tax sale and in many cases are pieces that are not desirable except to the neighboring property owner.

Cmmr. Ring Erickson asked to add the word "Property" to the title so it is clear what would be disposed.

A gentleman from the audience suggested adding the word "Real" also so it is clear it is real property. *Note – this code does also apply to property other than just real property.*

Cmmr. Gallagher/Sheldon moved and seconded to approve the ordinance amending Mason County Code Chapter 3.40, Article V, Mason County Property Management and Property Disposal. Motion carried unanimously. RE-aye; S-aye; G-aye. Resolution 32-07 (Exhibit J)

9.2 Public hearing to review the request by Bayshore Sand and Gravel to rezone three parcels totaling 149.94 acres from Rural Residential 5 and 20 zones to Rural Natural Resources zone to continue gravel mine operations to new area.

Allan Borden, Planner, presented the staff report. If approved, the owners would be allowed to move the gravel mine operations to the rezoned area, after receiving any necessary permitting. Adjacent lands are Rural Residential 5 and Rural Residential 20. The Planning Advisory Commission (PAC) gave unanimous approval to request and there was no public testimony at their meeting. This doesn't expand the scope of the operation but would allow it to be moved, again with approval from state agencies. The county will require that stormwater and sediment control be addressed during the actual mining operations. Staff recommends approval.

Glenda McLucas introduced herself as the applicants geologist. The groundwater geologist was also in attendance. They had several maps on display that gave the details of the operation including the various setbacks.

Cmmr. Sheldon referred to the PAC minutes regarding a water right for withdrawal of 2.5 cubic feet of surface water from Johns Creek was issued. He asked if this is per minute or per second. The applicant's groundwater geologist answered it is cubic feet per second.

Cmmr. Sheldon also noted the PAC minutes talk about the operation consuming about ½ acre of material per year.

Ms. McLucas confirmed this. She pointed out the intensity of the annual mining volume or processing of material will not change, except for a natural business increase. This rezone will allow the operation to be moved to the new area.

John Konoski, Squaxin Island Tribe, testified that Johns Creek is very important to salmon resources for Puget Sound. One of the most important places where salmon first return is along parcel 3 so they have a great deal of interest in protecting that area. He noted the Tribe has a good relationship with the Kadoun family and prefer this operation rather than a bunch of houses in the area. As permits are needed, they will work on the best way to protect the salmon resources while allowing the family to continue their operation. The Tribe does not oppose rezone.

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Ms. McLucas pointed out on the maps where the operation would expand. She noted the stream setbacks will greatly exceed the requirements and Parcel 3 will be the last place to mine.

Cmmr. Gallagher asked about the setback map. Ms. McLucas answered his questions by explaining how to read the map.

Cmmr. Gallagher stated that after reviewing the PAC minutes and staff information, he supports the rezone request.

Cmmr. Sheldon stated that he too, feels good about the project and is glad of the relationship with the tribe which he believes will continue. He confirmed that East Mason Lake Road will not be an access.

Cmmr. Sheldon/Gallagher moved and seconded to approve the request by Bayshore Sand & Gravel to rezone three parcels totaling 149.94 acres from Rural Residential 5 and 20 zones to Rural Natural Resources Zone, and have the Chair sign Findings of Fact. Motion carried unanimously. RE- aye; S-aye; G-aye.

Cmmr. Ring Erickson pointed out this is a rezone issue and there will be permitting review at other levels for the gravel mining operation.

- 9.3 Public hearing to consider Road Vacation File No. 354, vacation of a portion of Fourth Street in the Plat of Hood Canal Land Improvement Company's Plat of Union City as requested by Douglas Moore.

Rick Brush, Public Works, has examined the road vacation petition and due to objections from two neighbors, Marynell Holden & Judy Holman and Donald & Sherry Sweigart, the petitioner is requesting a three week continuance to allow time to negotiate a settlement. Mr. Brush recommended the Board continue to April 10, 2007.

There was no public testimony.

Cmmr. Sheldon/Gallagher moved and seconded to continue this hearing to April 10, 2007 at 9:30 a.m. to allow time for the petitioner and those objecting to the petition to negotiate a settlement. Motion carried unanimously. RE-aye; S-aye; G-aye.

- 9.4 Public hearing to consider a speed limit change on Rock Creek Road.

Bill Tabor, County Engineer, requested the hearing be continued to March 27, 2007 due to an error made in posting and legal ad. This will allow time for the proper public notification.

There was no public testimony.

Cmmr. Gallagher/Sheldon moved and seconded to continue the hearing to March 27, 2007 at 6:30 p.m. to allow accurate notification to the public. Motion carried unanimously. RE-aye; S-aye; G-aye.

10. Other Business (Department Heads and Elected Officials)

John Keates, Parks Director, announced he has received the deed for Jiggs Lake Park signed by the Governor and he will record.

Betty Wing, Central Operations, reminded everyone we are celebrating our 153rd birthday at 11 a.m. this morning.

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John Keates then spoke about Latimers Landing. The issue went to the Hearings Examiner and the request wasn't approved. The County made a request for reconsideration and received approval. This is a renovation of the park and a small expansion of the boat launch.

11. Board's Reports and Calendar - The Board reported on meetings attended the past week and announced their calendars for the upcoming week.
12. Adjournment - The meeting adjourned at 10:21 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