

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

DECEMBER 11, 2007

1. Call to Order – The Chairperson called the regular meeting to order at 9:00 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 – Ross Gallagher.
4. Correspondence and Organizational Business
 - 4.1 Correspondence:
 - 4.1.1 2008 budgets were received for Cemetery District #1 and Timberland Regional Library.
 - 4.1.2 An amended 2008 budget was received for Mason County Fire Protection District #11.
 - 4.1.3 The City of Shelton submitted their 2008 levy certification and notification of annexation action for Tract 28-B of David Sheltons Donation Land Claim #37.
 - 4.1.4 The Washington State Housing Finance Commission sent notice of public hearing regarding their 2008-2009 Housing Finance Plan.
 - 4.1.5 The Mason County Transportation Authority submitted their Ten Year Comprehensive Plan.
 - 4.1.6 The Washington State Department of Natural Resources sent a Determination of Non-Significance for the Forest Practices Board's proposed rule making related to Northern Spotted Owl habitat conservation.
 - 4.1.7 Scott McLendon of McLendon's Hardware expressed his concerns regarding the current design of the Belfair Bypass.
 - 4.1.8 Ray Jenne is seeking appointment to the Mason County Civil Service Commission.
 - 4.2 Sheriff Casey Salisbury recognized the following for their assistance in the storm event last week: Chief Jim Ghiglione, Ron Gold of RG Forestry who used his heavy equipment to help people clean up their property, Matt Russell from the National Guard; Bob Smith with PUD #3; Public Works, Department of Emergency Management and Building Department staff; Pierce County Sheriff staff, Department of Natural Resources staff and Coroner Wes Stockwell.

Sheriff Salisbury then asked the Commissioners to recognize Deputy Rankin, Deputy Ellis and Deputy Castillo for their help in finding a missing child. A letter of appreciation was received from Howard and Cindy Sims.

Sheriff Salisbury also recognized Detective Mike Foster for his 28 years of service to Mason County. Cmmr. Ring Erickson presented an engraved clock to Mr. Foster.
 - 4.3 Vicki Kirkpatrick read aloud an e-mail from the Washington Health Foundation expressing their appreciation for Heidi Iyall, Kim Klint and Lydia Buchheit for their work on the Healthy Kids Campaign.
 - 4.4 Bill Tabor, Public Works, announced that Public Works has selected Drawing Solutions from the Small Works Roster to provide onsite Autocad software programming services for Public Works.
 - 4.5 Marty Best, Emergency Management, reported on the storm damage in the County. He is in contact with state officials and they are mapping damage so FEMA can view the damage. They have received a Presidential Disaster Declaration within one week if the disaster which is must quicker than in the past. He believes this is one of the worst disasters in the county in his 24 years of experience. There are donation centers at the Theler Center and the Mason County Fairgrounds. He noted there are many volunteers helping.

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Cmmr. Ring Erickson thanked the Department of Emergency Management (DEM), Public Works and other Mason County staff, along with citizens for all their help. She recognized the extra efforts that Steve VanDenover has put into this event.

Cmmr. Sheldon stated it is important that individuals call DEM to report damage. He was in the Governor's office and talked to Maj. Gen. Lowenberg and was told Mason County will receive assistance. His Commission district was severely damaged. At this point the damage is widespread and under-reported.

Mr. Best stated he is trying to arrange for a disaster assistance center. He has requested a change to the federal cost share to reduce the burden to the local communities.

Cmmr. Gallagher commented it is reassuring how people have stepped up to help,

5. Open Forum for Citizen Input

Chief Jim Ghiglione, Mason County Fire Chiefs Associations, read a letter into the record regarding the County's proposal to reduce the Fire Marshal's hours in 2008. They believe this is fiscally irresponsible, a danger to community safety and exposes the County to liability. He noted it is the County's responsibility to investigate fires. He stated this action was taken without consulting the fire districts. He asked several questions for clarification such as who do they call to investigate fires, who will do code enforcement and who will enforce burning regulations. He asked the Board to not cut this position.

Matt Heinrich, volunteer in Fire Marshal's office, stated he has trained using his own money. He feels that by cutting the Fire Marshal's budget, it cuts the volunteer program.

Dave Salzer, City of Shelton Fire Marshal and Asst. Fire Chief, gave the history of the Fire Marshal program in Mason County. He noted it was in 1992 that the Fire Marshal position was created and filled. He reviewed the responsibilities of the Fire Marshal's office and stated it is important to note that fire districts are legislatively authorized to perform certain functions that are performed by a county fire marshal, they are not mandated to do so, and are not empowered to enforce any of the regulations that apply to those functions, unless given the authority by the county through an interlocal agreement.

Jeff Cowan, FPD #5, stated that cuts to the Fire Marshal program cuts fire protection to the county. He questioned who will respond to fire emergencies. He is concerned about being able to keep a Fire Marshal program because of the lack of support. He believes the Fire Marshal should be at the department head level. He stated the needs are not being met now, so how can they be met if the program is cut. He stated the fire chiefs are committed to finding budget solutions and that Craig Haugen has given a solid performance to Mason County. He asked the Board to fund this vital position.

Chief Richard Knight stated this is not the first time the Fire Marshal position has been cut and that creates controversy. He asked the Board to look at this as a law enforcement issue. He pointed out that every agency has budget issues but this is not the way to solve it.

Jerry Swartos, Fire Protection District No. 11, commented that the county has already cut payroll services to the fire districts and he sees this as another cut to the fire districts.

Cmmr. Sheldon stated it is difficult to write a budget. The County does not have unlimited resources and the building permits are down 25% in 2007. He noted this is a union position. He would like to discuss this and will work to find common ground. He agreed that public safety is important.

Cmmr. Gallagher stated the Board is aware of the history of fire marshal program and he too, is willing to have a discussion.

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Cmmr. Ring Erickson stated this is not personal nor political and she is sorry if it is read that way. There are constraints on county finances. She stated this is not the end of the discussion and she pointed out that the budget deliberations were very public. She is willing to continue discussion and look for solutions.

6. Adoption of Agenda – **Cmmr. Gallagher/Sheldon moved and seconded to adopt the budget as published. Motion carried unanimously. RE-aye; S-aye; G-aye.**
7. Approval of Minutes – briefing minutes for the weeks of September 17, October 1, October 8, October 15, and October 22, 2007, special meeting minutes for December 3, 2007.
Cmmr. Cmmr. Sheldon/Gallagher moved and seconded to approve the weeks of September 17, October 1, October 8, October 15, and October 22, 2007, special meeting minutes for December 3, 2007. Motion carried unanimously. RE-aye; S-aye; G-aye.
8. Approval of Consent Agenda: All items listed under the “Consent Agenda” are considered to be routine by the Commission and will be enacted by one motion unless a Commissioner or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
 - 8.1 Approval of resolution to reimburse prior expenditures with bond proceeds for the Rustlewood Wastewater Plant Upgrade. This is a request of the County’s bond counsel and the Mason County Treasurer. **Resolution No. 133-07 (Exhibit A)**
 - 8.2 Approval of the Veterans Assistance Fund applications for: Rodney Thurman - food \$68.05 as recommended by the Veterans Assistance Fund Screening Committee.
 - 8.3 Approval of the Lodging Tax Fund application for the Shelton-Mason County Chamber’s additional \$4,272.90 for the Hoodspout Visitor Information Center lease, as recommended by the Lodging Tax Advisory Committee.
 - 8.4 Approval to appoint Gwenith Gadberry to the Area Agency on Aging Advisory Board for a 2-year term.
 - 8.5 Approval to set a public hearing on Tuesday, January 8, 2008 at 9:30 a.m. to review the request by Christopher Ward to rezone one 38.60 acre parcel along Brockdale Rd. from Rural Residential 20 zone to Rural Residential 10 zone.
 - 8.6 Approval to set a public hearing on Tuesday, January 15, 2008 at 9:30 a.m. to review the request by Scott H. Miller to rezone one 35-acre parcel along State Route 108 from Rural Residential 20 zone to Rural Residential 10 zone.
 - 8.7 Approval for Public Works to advertise for Letters of Interest for: Construction Project Inspector Services; Contract/Fee Appraisers, Negotiators and Title Research Services; Geotechnical Lab Services; and Strategic Planning Services.
 - 8.8 Approval for Public Works to advertise for submittals from interested qualified firms/individuals to provide consulting services for year 2008.
 - 8.9 Approval of Warrants

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| Salary Clearing Fund | Warrant #s 172642-173158 | \$1,537,789.05 |
| Claims Clearing Fund | Warrant #s 132639-132769 | \$ 577,276.44 |
 - 8.10 Approval to set a public hearing on December 18th at 9:30 a.m. to consider an emergency appropriation for the Superior Court in the estimated amount of \$51,350. **Resolution No. 134-07 (Exhibit B)**
 - 8.11 Approval to set a public hearing on December 26th at 9:30 a.m. in the Commissioner Chambers to consider a \$62,376 supplemental appropriation to the Prosecutor’s Office, \$100,000 supplemental appropriation to the Department of Community Development/Planning, and \$75,000, supplemental appropriation to the Department of Community Development/Hearings Examiner. **Resolution No. 135-07 (Exhibit C)**
 - 8.12 Approval of up to \$100,000 for dike repairs in the Skokomish River valley from the Skokomish Flood Control Zone Fund.

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Cmmr. Sheldon asked if Item 8.12 is an action for this Board. Cmmr. Ring Erickson answered yes and at 10:45 a.m. the Commissioners will also take action as the Board of Skokomish Flood Control Zone Supervisors.

Cmmr. Gallagher/Sheldon moved and seconded to approve the Consent Agenda Items 8.1 through 8.12 as read. Motion carried unanimously. RE-aye; S-aye; G-aye.

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

9.1 Public Hearing to consider a supplemental appropriation to the 2007 Budget for Current Expense/Sheriff – Patrol.

Todd Barr, Budget & Finance Department, presented the staff report. He explained this is for unanticipated indirect federal grant revenue received by the Sheriff's Office for terrorism prevention. The grant will be used to purchase equipment.

There was no public comment.

Cmmr. Sheldon/Gallagher moved and seconded to approve the supplemental appropriation to the 2007 budget for the Sheriff's Department in the amount of \$51,112. Motion carried unanimously. RE-aye; S-aye; G-aye. Budget Order (Exhibit D)

9.2 Public Hearing to consider an emergency appropriation to the 2007 Budget for Current Expense/Sheriff – Care & Custody of Prisoners.

Todd Barr, Budget & Finance Department, presented the staff report. This is an emergency appropriation due to unanticipated costs of jail inmate food and medical care.

There was no public comment.

Cmmr. Gallagher/Sheldon moved and seconded to approve the Emergency Appropriation in the amount of \$150,000 to the 2007 budget for the Sheriff's Department/Care and Custody of Prisoners. Motion carried unanimously. RE-aye; S-aye; G-aye. Budget Order (Exhibit E)

9.3 Public Hearing continued from November 6, 2007 to consider an amended fee schedule for the Rustlewood Waste & Sewer System.

Tom Moore, Mason County Utilities & Waste Management, presented the staff report. The request is to increase the water services fee from \$20 to \$30 and the connection fees will be \$2,500. Staff held a community meeting on November 28th and Mr. Moore feels those in attendance understood the need for the increase. He noted the last increase was in 1992. He has received no other comments and the rates will be reviewed annually. He did check with other water systems in the County and these rates are in line with the other systems. He does plan to develop a small water system plan and identify needed improvements. Mr. Moore requested the Board adopt the rate increase.

Cmmr. Sheldon clarified that this water system is not metered.

There was no public comment.

Cmmr. Ring Erickson stated she was at the community meeting and the Rustlewood community wants to work with the county.

Cmmr. Sheldon/Gallagher moved and seconded to adopt Resolution No. 136-07 to provide additional operating revenue for the Rustlewood Water System. Motion carried unanimously.

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RE-aye; S-aye; G-aye. Resolution No. 136-07 (Exhibit F)

9.4 Public Hearing continued from December 4, 2007 to consider adoption of the Mason County On-site Sewage Management Plan.

Vicki Kirkpatrick, Public Health Director, explained the On-site Sewage Management Plan is in response to legislation and is part of the approach for water quality improvements. Once approved, the WA State Department of Health (DOH) has 30 days to review the revised plan. There is a \$100,000 grant pending DOH's review and acceptance of the Plan which will be used for the implementation of the Plan and there is a second grant in the amount of \$132,000 for funding critical work in Oakland Bay. The law requires the Mason County Board of Health adopt the Plan and she noted the Commissioners will meet as the Board of Health following this meeting.

Ms. Kirkpatrick recognized staff who has worked extremely hard on writing the Plan and incorporating the comments received. She pointed out this is a living document and it will be revised as more is learned.

John Konovsky, Squaxin Island Tribe, thanked the Environmental Health staff. He has turned in his comments to staff. He believes this is vital to a successful shellfish industry. We need strong commitment to land use planning coupled with Environmental Health. He stated the departments must work together. He talked about gaining access to property to determine if septic systems are failing. He noted the law allows for the Health Officer to dedicate an easement for proper authorities to inspect to be certain septic systems are functioning. He commended Bill Dewey for his time spent on the Plan. He stated Mr. Dewey's comments are consistent with the Squaxin Island Tribe. His priority is funding the approved Plan with the caveat it is a living document.

Bill Dewey, Taylor Shellfish, submitted his comments. He also commended Environmental Health staff and appreciates their efforts. He stressed that enforcement is still important and it needs to be transparent. He noted that coordination with the Comprehensive Plan has improved but believes it should include specific actions and in the timeline table to improve the coordination. He referred to pages 42 & 43 and conventional gravity systems still being permitted. He noted that Kitsap County has a local assessment for funding. He supports the Plan because it is a living document.

Bob Hagar stated he supports on the On-Site Plan. He has submitted concerns and is pleased with the response from staff. He talked about the Hood Canal Marine Recovery Area (MRA). The definition is different from the drawing and he believes it should include the entire watershed. He recommends the drawing be changed. He stated the goals and objectives are good although in some places the Plan and the strategies do not agree. He thanked staff for their efforts.

Cmmr. Sheldon referred to MRA septic repair requirements. He asked for clarification that if the septic system is within 200 feet of marine shoreline in designated MRAs, it needs repairs and it is a gravity system, an alternative or proprietary system will be required.

Staff replied, yes.

Cmmr. Sheldon commented that someone may not come forward if they know they have to change to a more expensive system.

Debbie Riley stated that currently the setback is 100 feet. The 200 foot setback came about because of discussion with citizens and the Oakland Bay Committee and On-Site Committee. She pointed out that we are seeing degradation along the shorelines and gravity systems are difficult to diagnose. There was much deliberation on this issue and in some areas the Planning setbacks are greater. This is to add the additional protection to MRAs.

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Cmmr. Sheldon stated this takes the regulator out and the decision is not made based on the site. He asked if it would work better to change the word to "may" on page 42 and 43. He suggested it read, ...All repaired OSS within 200 feet of marine shoreline in designated MRAs may be required... . This would allow the department to help the landowner decide.

Ms Riley noted that property sizes vary and they can keep track of those affected.

Cmmr. Sheldon noted a change to page 43 for standard gravity systems to "may".

Cmmr. Gallagher commented that in the latest version most of Mr. Dewey's comments were incorporated.

Cmmr. Ring Erickson expressed frustration with the process. Since she was first elected, she has wanted an inspection at the time property is sold. She stated that in reviewing the comments, the Plan has met the minimal amount of the law. She would like the Plan to be an action plan. She will vote for the Plan but noted it remains a work in process. She wants a local task force developed to work through an action agenda.

Cmmr. Gallagher/Sheldon moved and seconded to approve the Mason County On-site Sewage Management Plan and forward to the Mason County Board of Health for approval with the changes suggested by Cmmr. Sheldon to Pages 42 and 43 and through the document dealing with gravity systems within 200 feet of shoreline, change the language to "may". Motion carried unanimously. RE-aye; S-aye; G-aye.

The Board recessed for 5 minutes from 10:40 a.m. to 10:45 a.m.

10. Other Business (Department Heads and Elected Officials)

10.1 Adoption of the 2008 Budget.

Todd Barr, Budget & Finance Department, presented the 2008 budget for Mason County. He explained a public hearing was held on December 3rd and several changes have been made since then, which he summarized. He noted there are no wage and benefit increases at this time as those items are still being negotiated.

It was clarified the two new deputies that were added a couple of weeks ago, are carried over to 2008 in addition to the Traffic Policing Unit. The wage and benefits increases will be done by amendment once the amounts are settled.

Cmmr. Gallagher expressed his appreciation for the work from Todd Barr and Ione Siegler. This was his first year and was a learning process.

Cmmr. Sheldon commented that the revenue picture for the County is not good. The storm damage has decreased some property values. He suggested keeping the Fire Marshal full time until March 30, 2008 to give time to consult with fire districts and review the services provided.

Cmmr. Gallagher agreed to reevaluate the Fire Marshal position and looks forward to having a conversation with the fire districts.

Cmmr. Ring Erickson stated she feels the budget process has been a public process and thanked the public officials for their cooperation.

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Cmmr. Sheldon/Gallagher moved and seconded to approve the 2008 Budget for Mason County with the amendment to keep the Fire Marshal as full time until March 31, 2008 to allow time to meet with the fire districts. Motion carried unanimously. RE-aye; S-aye; G-aye. Resolution No. 137-07 (Exhibit G)

11. Board's Reports and Calendar - The Board reported on meetings attended the previous week and announced upcoming meetings.
12. Adjournment - The meeting adjourned at 11:02 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