

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

February 5, 2008

1. Call to Order – The Chairperson called the regular meeting to order at 9:06 a.m.
2. Pledge of Allegiance – The Chairperson asked Deputy Dean Byrd to lead 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 2007 Annual Reports were received from: Freight Mobility Strategic Investment Board, County Road Administration Board, and the Department of Natural Resources
    - 4.1.2 Donald LeMaster expressed his concerns regarding a neighboring property's outhouse. (Copy to Health Dept.)
    - 4.1.3 The Mason County school districts are requesting time on the agenda at the February 12, 2008 Commission meeting to discuss the districts' capital facilities plans and the need for impact fees.
    - 4.1.4 The Washington State Liquor Control Board sent notice of a special occasion license application for Faith in Action West Sound.
    - 4.1.5 The Washington State Department of Ecology responded to Mason County's request for substantial environmental degradation determination for the Belfair Water Reclamation Facility.
    - 4.1.6 The Northwest Watershed Institute is seeking a letter of support for the Tarboo-Dabob Bay Conservation Project.
    - 4.1.7 Lloyd Sinclair will not be seeking reappointment as Commissioner of the Housing Authority of Mason County when his term expires on March 30, 2008.
    - 4.1.8 Lloyd and Ann Anderson expressed their concerns regarding a lack of action on the US 101/Lynch Road Interchange project.
  - 4.2 Green Star Awards – Sheriff's Office & Utilities & Waste Management Department  
Sheriff Salisbury asked the Board to recognize Gary Isaacson and Carla Madison with Green Star awards for positive comments received from the public for their service.  
David Baker asked the Board to recognize Dawnell Campagna for her service in the Utilities Department with a Green Star award.
  - 4.3 Barb Robinson presented the news release advertising for citizens to apply to fill a vacancy on the Planning Advisory Board.
  - 4.4 Betty Wing presented the news release advertising to fill the vacant position on the Mason County Housing Authority Board Vacancy.
  - 4.5 David Baker read the news release announcing the new hours of operation for the Utilities & Waste Management Facilities Hours of Operation.
5. Open Forum for Citizen Input - there was no public comment
6. Adoption of Agenda – **Cmmr. Gallagher/Ring Erickson moved and seconded to adopt the agenda as presented. Motion carried unanimously. RE-aye; S-aye; G-aye.**
7. Approval of Minutes – regular meeting minutes for December 11, 2007 and January 8, 15 and 22, 2008 and briefing minutes for the weeks of November 5, 19, and December 3, 2007.  
Cmmr. Erickson asked that the January 15, 2008 minutes be removed so they can be amended. There are unclear references that need clarification.  
**Cmmr. Ring Erickson/Gallagher moved and seconded approve the regular meeting minutes for December 11, 2007, January 8, and 22, 2008 and the briefing minutes for November 5, 19 and December 3, 2007 as presented. Motion carried unanimously. RE-aye; S-aye; G-aye.**

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8. Approval of Consent Agenda:

- 8.1 Approval of contract between Mason County Facilities and Grounds and Robert and Nona Raincloud for On-site Caretaker/Resident at the Mason County Fairgrounds from February 1, 2008 to January 31, 2009. RV Space and utilities serve as compensation for caretaker duties. Caretaker provides their own living space.
- 8.2 Approval to appoint Mike Southerland to the 2008 Mason County Transportation Improvement Program - Citizens Advisory Panel (TIP-CAP).
- 8.3 Approval of Veterans Assistance Fund applications for: Klaus Mulvihill - housing \$600.00; Francis Diamantine - food \$200.00; and Gerald Cassel Sr. - food \$600.00; for a total of \$1,400 as recommended by the Veterans' Assistance Screening Committee.
- 8.4 Approval of the agreements for the Union Park attendant, Truman Glick Park attendant and the Foothills Park attendant.
- 8.5 Approval of the contract employee agreement for the part-time Court Commissioner position with Richard Adamson for 2008.
- 8.6 Approval for the Chair to sign the grant agreement between the Washington State Department of Archaeology and Historic Preservation (DAHP) and Mason County for the Mason County Courthouse Exterior Rehabilitation Project (DAHP Grant #FY08-90002-004).
- 8.7 Approval of contract #0863-34806 between the Washington State Department of Social & Health Services and Mason County to provide \$12,683 for the Cover all Kids Infrastructure program for the enrollment of Washington uninsured children.
- 8.8 Approval of contract #0863-28777 between the Washington State Department of Social & Health Services and Mason County to provide \$8,025 for the Cover all Kids Outreach program for outreach to the highly probable uninsured children.
- 8.9 Approval of contract #0863-35076 between Washington State Department of Social & Health Services and Mason County which increases the funding for the Early Intervention Program in the amount of \$60,000 and extends the contract date to 6/30/09.
- 8.10 Approval of the resolution adopting the 2007 Solid Waste Management Plan. **Resolution No. 15-08 (Exhibit A)**
- 8.11 Approval for the Department of Public Works to remove the material from the right of way along ~~Nancy Avenue~~ County Roads in the Holiday Beach area and authorize reimbursement from the General Fund or the Road Fund for either one hundred percent of the project cost or the remaining balance not reimbursed by FEMA and the State of Washington.
- ~~8.12 Approval for the County Engineer to execute the Bridge Use Agreement for the temporary Tahuya River Bridge on the Belfair Tahuya Road (County Road Number 97500) with Stella Jones Corporation, and with other companies as necessary, for extraordinary hauling over the temporary bridge until a permanent bridge is constructed. Removed~~
- 8.13 Approval for the Chair to sign the change order to the contract with Northwest Underwater Construction in the amount of \$24,774.03 plus sales tax, for additional anchoring of the Hartstene Pointe sewer plant outfall project.
- 8.14 Approval for the Chair to sign the Rustlewood Wastewater Plant Improvements construction contract, and other pertinent documents, with Boss Construction, Inc. in the amount of \$2,104,117.83.
- 8.15 Set a public hearing on February 19th at 9:30 a.m. to consider supplemental appropriations to the 2008 Budget for the Current Expense Fund Budget in the amount of \$44,250, supplemental appropriations to the Capital Improvement REET 1 Fund Budget in the amount of \$5,535,871 and Budget Transfers from the Ending Fund Balance in the 2008 Current Expense Fund Budget in the amount of \$62,118. **Resolution No. 16-08 (Exhibit B)**
- 8.16 Approval of the resolution establishing the Mason County Emergency Communications Systems (911) Sales & Use Tax Fund 125-000-000. **Resolution No. 17-08 (Exhibit C)**
- 8.17 Approval of the resolution for an interfund loan from the Reserve for Accrued Leave Fund to the Emergency Communications System (911) Sales & Use Tax Fund in the amount of \$186,000. This loan will be for one year and will be used for interim financing. **Resolution No. 18-08 (Exhibit D)**

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- 8.18 Approval of the 2008 agreement with the Mason County Economic Development Council for economic development services in the amount of \$31,000.
- 8.19 Approval of the request from the Mason County Economic Development Council to fund \$31,000 for economic development services from the Mason County Rural County Sales & Use Tax Fund (.09).
- 8.20 Approval of Warrants  
Salary Clearing Fund Warrant #s 174111-174669 \$ 945,225.12  
Claims Clearing Fund Warrant #s 135311-135922 \$1,866,142.13
- 8.21 Approval of the lease agreement with Rick Krueger for the lease of a building located at 21 NE Romance Hill road, Belfair to be used by the Mason County Sheriff's Office – Belfair Detachment. The lease amount will be \$200 monthly for utilities.
- 8.22 Approval of Memorandum of Understanding between the Skokomish Indian Tribe and the Washington State Gambling Commission for the Community Impact and Charitable Contributions Committee.

**Cmmr. Ring Erickson/Gallagher moved and seconded to approve the Consent Agenda as read Items 8.1 through 8.22 with Item 8.12 removed. 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, continued from January 8, 2008, to review the request by Christopher & Michelle Ward to rezone one 38.61 acre parcel along Brockdale Rd. from Rural Residential 20 zone to Rural Residential 10 zone.  
Alan Borden, Planning, presented the staff report to rezone one 38.61 acre parcel from Rural Residential 20 – RR20 (1 dwelling unit per 20 acres) zone to Rural Residential 10 zone - RR10 (1 dwelling unit per 10 acres). The property is located to the east and south of existing Rural Residential 5 zone parcels along Brockdale Road, two miles north of the Shelton Urban Growth Area (UGA). To the east of the property is an asphalt gravel pit and the land to the south is commercial timberland. If the new zone is approved, the applicant could divide the property using the conventional or performance subdivision process. Under the performance subdivision they would have 1.5 credits that could be used to create three lots.

The applicant's basis to request the rezone is to allow them to divide their property as other people have been allowed to do in the past. Mr. Borden pointed out this is not a compelling reason to change the zoning, the applicants do have some flexibility to create additional lots, though not as many if the rezone is approved.

Mr. Borden stated the current RR 20 is based upon existing parcel sizes and wetland critical areas. This property is a part of a great number of large properties located between the Shelton UGA and the more rural areas of the county so changing the zoning could be contrary to the initial idea of designating the properties in the vicinity as RR20.

Mr. Borden also pointed out that if this rezone request is approved, it could be proposed in similarly situated parcels elsewhere in the county and could serve as a precedent.

The Planning Advisory Commission recommended approval of the request to rezone to RR10.

Mr. Borden's recommendation is to approve the rezone request but he pointed out there are negative and positive aspects of this request.

Cmmr. Ring Erickson asked how long the applicant has owned the property.

Mr. Borden stated it was sold to the applicants in August 2005 with the current RR20 zoning designation.

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Cmmr. Sheldon asked if under performance zoning, could a property that is RR 10 obtain additional densities if areas are set aside for critical areas.

Mr. Borden answered that performance subdivision is available under RR 10 and RR 20 zones.

Cmmr. Gallagher clarified there is one access to the property from the north. He confirmed that the property is basically level.

Mr. Borden also noted that the property has one single family residence on it.

Cmmr. Sheldon asked about the location of a previous rezone that was in this area.

Mr. Borden stated there hasn't been a rezone request from this area this year, there will be a rezone request considered at next week's Commission meeting that is about a mile north of this location.

The applicants were in attendance, they had no additional comments.

There was no public comment.

Cmmr. Ring Erickson commented she was a member of the Commission when the property to the west was reviewed and she recalled that it had compelling personal reasons for the rezone that had to do with the distribution of property to children.

Mr. Borden stated that was the Claudia Douglas request in 2005. She had three fairly large pieces of property next to each other zoned as RR 20. The 20 acre property that fronts Brockdale Road was approved, the other two properties were not approved for rezone.

Cmmr. Ring Erickson referred to this rezone request as a death by a thousand cuts when additional development opportunities are created. She asked if that is encouraging sprawl. She questioned the amount of demand there will be for housing next to an asphalt plant. She is concerned that could lead us down the path where people could, later on, complain they are next to an asphalt plant. She has serious concerns with allowing additional density in this area.

Cmmr. Gallagher agreed with Cmmr. Ring Erickson's comments regarding the asphalt plant. He noted the distance from the housing area across Brockdale Road isn't that far. He did read the minutes from the Douglas request, but the performance subdivision wasn't discussed. He is comfortable with the current designation, but will support the Board's decision.

Cmmr. Sheldon pointed out the performance subdivision is available to the applicants which would provide additional density. He is concerned with the location next to the asphalt plant, he has had complaints from other residents in the area regarding dust and noise. He doesn't feel the area needs additional density. He stated the asphalt plant is an essential facility for the county for gravel and asphalt.

**Cmmr. Ring Erickson/Gallagher moved and seconded to deny the request from Christopher & Michelle Ward to rezone one 38.61 acre parcel along Brockdale Road from RR 20 zone to RR 10 zone and have the Chair sign the findings of fact for this decision. Motion carried unanimously. RE-aye; S-aye; G-aye.**

Cmmr. Ring Erickson asked the Planning Department work with the applicants to help them meet their needs. She noted there currently is not a shortage of RR10 parcels at this time.

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- 9.2 Public hearing continued from January 15, 2008 to consider rescission of Ordinance 139-06 as it relates to Rezone Request 06-08 (Shaw Family) and subsequent amendments to the Future Land Use Map.

Barb Adkins, Planning, presented the staff report. She explained that on December 27, 2006 the Board adopted Ordinance 139-06 which granted, in part, a change to the Future Land Use Map of the Mason County Comprehensive Plan. This change amended the Resource Lands designation of Long Term Commercial Forest to Inholding Lands on parcel 61918-10-00000. Granted within the same ordinance, was a request for rezone of that parcel by the Shaw Family LLC. This ordinance was appealed to the Western Washington Growth Management Hearings Board which found the County is out of compliance. Staff is requesting the Board rescind those portions of Ordinance 139-06 that relate to the rezone. This would place the property from Inholding Lands back to Long Term Commercial Forest to allow the County to move towards Growth Management Act (GMA) compliance and readdress the Shaw Family LLC rezone separately.

Cmmr. Ring Erickson commented that it seems some people buy property in Mason County knowing they will make rezone requests before the Board which puts the County in the position of being out of compliance with the GMA. It also allows for the potential of urban sprawl. This request wasn't a situation where there was a critical need for this size of a lot. She pointed out that Mason County is in the position to lose \$38 million dollars in sewer money by virtue of allowing these kind of small parcel divisions.

Cmmr. Sheldon noted this item is before the Superior Court.

Ms. Adkins stated the decision of the GMA Hearings Board was appealed by the Shaw Family to the Superior Court.

The applicant was not present. Ms. Adkins noted they are aware of this request.

There was no public comment.

**Cmmr. Ring Erickson/Gallagher moved and seconded to rescind Ordinance 139-06 as it relates to the approval of Rezone Request 06-08 (Shaw Family LLC) and subsequent amendment to the Future Land Use Map. Motion carried unanimously. RE-aye; S-aye; G-aye.**

**Cmmr. Gallagher/Ring Erickson moved and seconded to adopt Ordinance 19-08 to rescind portions of Ordinance 139-06. Motion carried unanimously. RE-aye; S-aye; G-aye. Ordinance 19-08 (Exhibit E)**

10. Other Business (Department Heads and Elected Officials)

Bill Tabor, County Engineer, stated the County has placed weight restrictions on county roads due to freezing conditions. Neighboring counties do not have weight restrictions but they have road use agreements that cover damage caused by heavy trucks. It appears the restrictions will be in effect through the week.

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 10:20 a.m.

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BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

\_\_\_\_\_  
Tim Sheldon, Chair

ATTEST:

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Lynda Ring Erickson, Commissioner

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Rebecca S. Rogers, Clerk of the Board

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Ross Gallagher, Commissioner