

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

February 12, 2008

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 The Department of Natural Resources sent their projection of income from State Forest Lands for 2008.
 - 4.1.2 Nancy Moore and Mason County Fire Protection District 4 expressed concerns regarding Hwy. 101/Lynch Rd. bypass project delays.
 - 4.1.3 The National Association of Counties is encouraging counties to join their Campaign against Sexual Exploitation.
 - 4.1.4 Donald Clark and Dennie Ross submitted their resignation from the Board of Equalization, effective February 2008.
 - 4.1.5 The Washington State Liquor Control Board sent notice that Wild Bills and Belfair Grocery have discontinued sales and service of liquor.
 - 4.1.6 Mike and Kim Thompson expressed concerns regarding the readdressing of new homes in their area. (Copy to Planning.)
 - 4.1.7 The Washington State Department of Ecology sent notice that up to \$1,500,000 from the Reclaimed Water Grants Program has been offered for the Belfair/Lower Hood Canal Water Distribution project.
 - 4.2 Betty Wing presented the news release regarding the solicitation of members to fill vacancies on the Board of Equalization.
 - 4.3 Vicki Kirkpatrick read a news release encouraging citizens to obtain their flu shots.
 - 4.4 Joan Zook, Shelton School District Superintendent, asked the Board to address the impact of growth on schools. The Growth Management Act requires county governments make provision for the impact of growth on local public infrastructure, including schools. School enrollment continues to grow and the state provides no funding for housing new students. She stated large developers may mitigation fees, but development of four homes or less do not pay any fees to schools. She stated funds must be diverted from maintenance and operation (M & O) levy funds to purchase portables, which is not the purpose of an M & O levy. She asked the Board to vote on this issue at the earliest possible date.

Cmmr. Gallagher stated he believes there should be uniform policy for impact fees. He is well aware of school M&O funds.

Cmmr. Ring Erickson stated she has concerns with the formula and that people don't understand the formula. If a flat fee were equated to the amount of money that is devoted to large projects, she would support it. She suggested the school staff work with the Planning Department to come up with flat fee that equates the amount of impact to the same amount that is going to the large developments.

5. Open Forum for Citizen Input
 - Building Permit Concern
Ron Gold – RG Forestry Consultants - Hoodspout, talked about repair work he did because of storm damage and his concern with the fees that homeowners have had to pay to fix damage. He gave an example where it cost \$1,700 to fix a damaged retaining wall and the permit fees are between \$5,000 and \$6,000. He believes some of the permits are unnecessary such as the requirements for a geotech report and a habitat management plan. He pointed out this was an unplanned event and he believes some regulations overlap and are unreasonable. He is asking that permit relief be given to citizens

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and have qualified staff to interpret and enforce the regulations. He proposes a citizen advisory board to work with staff to administer the permitting laws.

School Impact Fees

Tim Garchaw, Superintendent of Southside School, stated he is in full support of an impact fee ordinance, as are all school districts in Mason County. He stated they pay a non-high fee for their 8th to 12th grade students to be served by the Shelton School District. Therefore for growth in their area, they need to go to their taxpayers twice, once to pay for new growth in their district and again to cover their portion of the growth in the Shelton School District. Without impact fees, the non-high districts get hit twice. He appreciates the desire to simplify the fee structure. He asked if school staff come to the Board within 90 days with a flat rate, would the Board put it to a vote.

Cmmr. Ring Erickson, stated she would like them to work with Planning staff so it can go through the proper process and review. She expressed her frustration that she has been saying she would like a flat fee, but that hasn't happened.

Cmmr. Sheldon asked if this proposal should go to the Planning Advisory Commission for citizen review.

Mr. Garchaw stated he believes they need citizen input in the process. He would like to come up with a target date that would allow for public comment.

Cmmr. Sheldon asked if Mr. Garchaw believes the impact fees are passed on to the general public or to just the new homeowner.

Mr. Garchaw stated any fee can be looked at to see what the trickle down effect is. When he looks at his own district and the taxpayers who have paid for new growth, such as the school remodel, he believes an impact fee brings a new homeowner or new development a buy-in option and is the fairest way for growth to pay for growth.

Cmmr. Sheldon commented that as a legislator, the most common letter he receives is from retired citizens on a fixed income in Mason County who are afraid their property taxes are now higher than their mortgage ever was. They have concerns with being taxed out of their house.

Mr. Garchaw agreed they do not want to tax people out of their homes. He noted this would not be a property tax, it would be a fee on the initial cost of the property.

Cmmr. Sheldon pointed out that it does add to the cost of the house, which increases the assessed value, and impacts the neighborhood.

Mr. Garchaw stated they have given thought to those individuals, such as the retired couple who are building a new home and do not have children in the system. He understands if a four bedroom house is built, it has to have the sewer capacity for occupants who could fill a four bedroom house because down the road, we don't know who would be in the home. When the house goes on the grid, the house needs to be able to sustain it's own impact.

Petition to form utility district

Margaret McClung, Hartstene Pointe Maintenance Association, stated their community has been concerned about the prospect of uniform rates for sewer and water and in particular proposals for dramatically increasing those rates. They are investigating the formation of an independent sewer and water district to serve their residents. She stated she has delivered a petition to the Auditor this morning. She asked about receiving answers to questions that were submitted earlier this month

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regarding the process. She understands that after the Auditor certifies the petition, then a public hearing is required. She asked when the hearing would be set.

Cmmr. Sheldon referred her to Emmett Dobey, Utilities Director, and Karen Herr, Auditor, to determine the process.

Invitation to Fire Academy

Bob Burbridge, Fire Protection District 4 Chief, stated they are sponsoring a National Fire Protection Agency (NFPA) firefighter recruit academy. He invited the Commissioners to visit the recruits who will be training and share their core values.

School Impact Fees

Nancy Moran, Mason County Association of Realtors affiliate member, read a statement expressing concern of impact fees and how it affects affordability of housing and the consistency and ability to cover all construction costs. They are concerned with the way in which student enrollment is calculated to determine the need of funding. If the Commission considers a school impact fee, the realtors would like to be at the table in crafting the regulation.

Holly Sharpe, President of the Shelton School Board of Directors, commented that the impact fee formula is not the school's formula, it is developed by the state and based on RCW's. She feels it is important that growth pays for growth and that all Mason County children receive a good education.

George Sevier also commented on impact fees. He noted there are seven school districts in Mason County. The impact fees were never tied to where the money is at now from the Growth Management Act. He asked for an accounting of that money. He is concerned with what impact fees would pay for and he wants accountability.

Sales tax for Fire Districts

Denny Hamilton, Tiger Lake – Fire District No. 2, noted they are struggling with their fire district budget and asked about the possibility of generating funds similar to the sales tax for the county-wide emergency communication system. This would support fire districts for expenses not covered by property taxes.

School Impact Fees

Dale Almlie, Superintendent of Grapeview School District, stated they are a non-high district and they are affected by growth although it is a small district. He stated they are also affected by North Mason School District levies in addition to theirs. He asked for a quick resolution on impact fees to help the schools determine their future strategy.

Ron Zier, Hood Canal School District Superintendent, gave history of how impact fees could have helped their school district. He supports funds coming from a variety of sources.

Consent Agenda

Sheriff Salisbury requested that Consent Agenda Items 8.1 and 8.2 be removed from the Consent Agenda for discussion.

6. Adoption of Agenda

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

7. Approval of Minutes – briefing minutes for the weeks of November 26, December 10 and 17, 2007 and January 7 and 21, 2008 and revised regular meeting minutes for January 15, 2008.

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Cmmr. Gallagher/Ring Erickson moved and seconded to approve the briefing minutes for the weeks of November 26, December 10 and 17, 2007 and January 7 and 21, 2008 and revised regular meeting minutes for January 15, 2008. Motion carried unanimously. RE-aye; S-aye; G-aye.

8. Approval of Consent Agenda:
- 8.1 Approval of the resolution amending the Non-Union Salary Range Alignment Table to amend the Human Resources Director position to a Range 45. **Resolution No. 20-08 (Exhibit A)**
 - 8.2 Approval to appoint T.J. Martin as the Mason County Human Resources Director effective February 1, 2008.
 - 8.3 Approval of Veterans Assistance Fund applications for: George Harmon - housing \$600.00; Charles Robson - housing \$600.00; George Valent - housing \$600.00; Larry Tunno - utilities \$164.03; Kimberly Mougous - utilities \$430.81 and Shane Boyle - housing \$600.00 for a total of \$2994.84
 - 8.4 Approval of the resolution providing for the issuance and sale of limited tax general obligation bonds in the amount of \$3,165,000 to finance the acquisition of property and remodeling of such property located at 3rd and Pine Street, Shelton. **Resolution No. 21-08 (Exhibit B)**
 - 8.5 Approval for the Chairperson to execute the Road Levy Certification for 2008.
 - 8.6 Approval to set a public hearing on March 11, 2008 at 9:30 am, to adopt a resolution changing all of Breeze Drive (County Road Number 29170) to Sea Breeze Drive (County Road Number 29170) to coincide with the road log and addressing system.
 - 8.7 Approval to accept the recommendation of the Hearing Examiner and grant Road Vacation No. 361 of a portion of Mason-Benson Road as petitioned by Rae Siessmen, subject to the conditions contained in the Findings, Conclusions and Recommendations of the Hearing Examiner.
 - 8.8 Approval for the Chair to sign the project agreements with the Recreation and Conservation Office (RCO) for the following projects: Camp Govey Trail Planning, Mason Lake County Park Planning and Latimers Landing Acquisition.
 - 8.9 Approval of the 2008 grant agreement in the amount of \$10,000 awarded to the Mason County Children's Dental Coalition for approximately 60 dental care client visits for those who are homeless or at risk of homelessness who are also low income and uninsured. This is paid from the Community Support Services Fund.
 - 8.10 Approval of the 2008 grant agreement in the amount of \$10,000 awarded to the Mason County Shelter to provide Case Managed Rental Assistance (CMRA). This is paid from the Community Support Services Fund.
 - 8.11 Approval of the 2008 grant agreement in the amount of \$36,000 awarded to Turning Pointe for grants consultant and technical support for the Mason County Housing Coalition and administration of local, state and federal grants and contacts. This is paid from the Community Support Services Fund.
 - 8.12 Approval of the 2008 grant agreement in the amount of \$2,400 awarded to St. David of Wales Episcopal Church for utility assistance in conjunction with Cold and Hungry Coalition providing emergency cold weather shelter at St. David's Church. This is paid from the Community Support Services Fund.
 - 8.13 Approval of the 2008 grant agreement in the amount of \$14,600 awarded to Turning Pointe for coordinator activities for the Mason County Housing Coalition and activities concerning the yearly Homeless Count. This is paid from the Community Support Services Fund.
 - 8.14 Approval to reappoint David and Karen Shephard to the Lewis- Mason-Thurston Area Agency on Aging Advisory Board for a two-year term, ending January 2010.

Items 8.1, 8.2 and 8.4 were removed for further discussion.

Cmmr. Ring Erickson/Gallagher moved and seconded to approve Consent Agenda items 8.3 and 8.5 through 8.14. Motion carried unanimously. RE-aye; S-aye; G-aye.

Regarding Consent Agenda Item 8.1 – amending the Non-Union Salary Range Table moving the Human Resources Director position to Range 45.

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Sheriff Salisbury expressed concerns with where employees in the different Elected Officials offices are placed on the salary scale. He requested the non-union salary matrix be reevaluated. He pointed out the Undersheriff and Jail Superintendent positions that have not been reviewed for some time.

Auditor Karen Herr read a statement into the record. She believes that as elected officials, their primary duty is to provide the best service possible to the citizens, spend the taxpayers wisely, and to treat employees with respect and fairness. She stated she will find it difficult to explain to employees in her office who have been denied, ignored or passed over for a salary reclassification. She believes this proposal is not in the best interest of taxpayers, the County or employees and asked that it be removed.

Denny Hamilton stated the position was advertised at Salary Range 35, and he asked if others would have applied had it been advertised at Salary Range 45.

Cmmr. Gallagher stated the Commission is well aware of the policy but there is an urgent need to fill the position. By creating this level, he believes it will get the job done for the Human Resources position.

Cmmr. Ring Erickson commented she is not aware of turning down a request to review the staff in the Sheriff or Auditor's office. She is very supportive of staff at all levels being well paid. She noted the staffing has stabilized. She believes this is a very important position for staff and a way to improve customer service. She sees this as an action that advocates for good employment opportunities for staff and good working conditions. She believes Mr. Martin's credentials are quite good and he cares deeply for Mason County.

Cmmr. Sheldon stated that Mason County is a small county but is growing. He sees the need for a Human Resources Director with interpersonal skills. He believes the fact that Mr. Martin has a law degree will help him in this position. He stated hiring is not easy and feels they have found the best person for the job. He would like to look at other salaries.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve Consent Agenda Item 8.1 - Approval of the resolution amending the Non-Union Salary Range Alignment Table to amend the Human Resources Director position to a Range 45. Motion carried unanimously. RE-aye; S-aye; G-aye.

Consent Agenda Item 8.2. Sheriff Salisbury stated he has no problem with Mr. Martin as an individual, but he wants the pay scales reviewed so they are equitable.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve Consent Agenda Item 8.2 appointing TJ Martin as the Human Resources Director. Motion carried unanimously. RE-aye; S-aye; G-aye.

Consent Agenda Item 8.4 – Treasurer Lisa Frazier pointed out the correct amount of the bonds is \$3,170,000. The interest rate is 3.7% for a 20 year bond purchase and Mason County received an A rating from Standards & Poor.

Cmmr. Ring Erickson/Gallagher moved and seconded to approve the resolution providing for the issuance and sale of limited tax general obligation bonds in the amount of ~~\$3,165,000~~ \$3,170,000 to finance the acquisition of property and remodeling of such property located at 3rd and Pine Street, Shelton. Motion carried unanimously. RE-aye; S-aye; G-aye.

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

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- 9.1 Public hearing to consider Utility Franchise applications with Arkada Park, Twanoh Community Club, Channel Point, Kamilche Shores, and Madrona Morningside; and to consider a Private Line Utility Occupancy Permit submitted by Starr Mutual. All of these water systems are located in the County right of way.

Charlie Butros, Public Works Director, requested the Board approve the Utility Franchise applications with Arkada Park, Twanoh Community Club, Channel Point, Kamilche Shores, and Madrona Morningside; and to consider a Private Line Utility Occupancy Permit submitted by Starr Mutual. All of these water systems are located in the County right of way.

There was no public comment.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve the Utility Franchise applications with Arkada Park, Twanoh Community Club, Channel Point, Kamilche Shores, and Madrona Morningside; located in the County right of way and to approve a Private Line Utility Occupancy Permit submitted by Starr Mutual. Motion carried unanimously. RE-aye; S-aye; G-aye.

The Board took a 5-minute recess.

- 9.2 Public hearing to review the request by Ron & Gayle Barker and Terry & Dorthee Gregg to rezone three parcels (107.20 ac. total) near Webb Hill Rd. from Rural Residential 20 zone to Rural Residential 10 zone.

Alan Borden, Planning Department, presented the staff report. A map of the area was displayed. The location is at the end of Marisa Place and west of Webb Hill Road.

Cmmr. Sheldon asked how long the applicants have owned the property.

Mr. Borden understands the Gregg's purchased the 27 acre parcel in 2005, the 40 acres in 2006 and the Barkers bought their property in 2007.

The property is currently Rural Residential 20 (RR20) the request is to rezone to Rural Residential 10 (RR 10). There are RR 20 and RR 10 parcels located around the parcels. There are wetlands on and adjacent to these properties that would need to be considered in any division of the property. Mr. Borden explained there is a potential for 10 lots in the current zone which could be doubled if changed to RR10. The applicant could divide the property using the conventional or performance subdivision process. Mr. Borden reviewed the seven rezone criteria. The lots are under the timber tax program. The Planning Advisory Commission (PAC) recommended unanimous approval of the rezone request. He stated Criterion 2,3 and 7 are not met.

Nancy Moran pointed out that Marisa Place is 2.5 acre parcels. She questioned the statement that it is bordered by large parcels.

Mr. Borden pointed out the location on the map. The adjacent parcels are RR20 parcels, the 2.5 acre lots are not immediately adjacent.

John Bolender stated he has reviewed the PAC minutes and it appears Criteria 2, 3 and 7 were stated as being met in the PAC's review, based on staff analysis. He asked what has changed for staff to suggest that criteria is now not met.

Mr. Borden stated this was heard by the PAC in 2007, and he wasn't as strict at applying the standards in the PAC phase.

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Cmmr. Sheldon noted that in the PAC minutes, there is a comment about smaller parcels being in the area. He confirmed it was an unanimous vote by the PAC.

Cmmr. Ring Erickson commented that she understands these parcels have recently been acquired.

Ron Barker, applicant and owner of the 40 acre parcel, stated their plan is to be good stewards of the land and have flexibility to create home sites for family members. He stated they are pleased with the unanimous recommendation for approval by the PAC. They intend to maintain the designated forest timberland use status. They have submitted well logs for the neighboring parcels, the average depth of the surrounding 17 wells is 186.4 feet. They have provided a statement from Arcadia Well Drilling regarding the viability of drilling any wells on the parcels based on local well characteristics. He believes their request for RR10 zoning is appropriate based on the mixed and inconsistent use adjacent to and in the immediate area. They have no intent to develop the land and RR10 would allow for creativity in creating sites so their family can enjoy the property. He started this process encouraged and hopeful and was surprised that staff changed their disposition regarding three of the seven criteria. He questioned the role of the PAC.

Pat Grover, Webb Hill Road, read a statement. In the mid-1990's the Comprehensive Plan was developed to guide growth, of which she participated in this process. She also testified at the PAC meeting. She noted the applicants purchased this property with full knowledge of the zoning. She stated that the four monitoring wells at the Webb Hill biosolid sites were dry in November 2007. These wells were drilled in April and May, 2007 at depths ranging from 98 to 185 feet. She stated investigation continues as to the direction of movement, quality and quantity of water beneath the surface in the Webb Hill area. Her analysis is that this rezone request does not meet the criteria for RR10.

Cmmr. Sheldon asked if there is active logging on the property.

Mr. Borden stated he is not aware of any.

Cmmr. Ring Erickson clarified there are other RR10 parcels available in the area and the other smaller lots were created prior to GMA.

Cmmr. Sheldon stated the Planning Advisory Commission, as well as staff, make recommendations but the Board is not bound to those recommendations.

Cmmr. Ring Erickson agreed with Cmmr. Sheldon. While the Board asks for advice, they do not delegate their responsibilities.

Cmmr. Gallagher asked if the neighboring RR 10 properties to the south were always that zone.

Mr. Borden answered yes, there have been no recent zoning changes in that area.

Cmmr. Sheldon referred to Mr. Barker's statement that they have no desire than to request RR10 zoning. He stated the performance zoning allows for RR20 be divided into RR10, provided open space requirements are met.

Cmmr. Ring Erickson stated that again she refers to this as death by a 1,000 cuts and that the applicant purchased this knowing the zoning. She noted there is no shortage of RR10 parcels and that the intent of the property can be made with the current zoning.

Cmmr. Gallagher/Ring Erickson moved and seconded to deny the request by Ron & Gayle Barker and Terry & Dorthie Gregg to rezone three parcels (107.20 acres total) near Webb Hill Road from

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Rural Residential 20 zone to Rural Residential 10 zone, and have the Chair sign Findings of Fact for this decision. Motion carried unanimously. RE-aye; S-aye; G-aye.

10. Other Business (Department Heads and Elected Officials)

Sheriff Salisbury announced that as of February 1st two of the newest traffic officers are on the road.

10.1 Betty Wing, Central Operations, read the news release appointing TJ Martin as the HR Director effective 2/1/08.

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TJ Martin thanked the Board for their confidence in him and this appointment. Customer service is a priority for him and his goals are to recruit the best and maintain the best employees.

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 11:18 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Tim Sheldon, Chair

ATTEST:

Lynda Ring Erickson, Commissioner

Rebecca S. Rogers, Clerk of the Board

Ross Gallagher, Commissioner