

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

APRIL 15, 2008

1. Call to Order – The meeting was called to order at 9:01 a.m. by the Chairperson.
2. Pledge of Allegiance – The flag salute was led by Ray Hansen of Union, Washington.
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 Boyd K. Smith is seeking appointment to the Mason County Water Conservancy Board.
 - 4.1.2 The Washington State Liquor Control Board sent notice of establishments in Mason County with liquor licenses due to expire on July 31, 2008.
 - 4.1.3 The Bonneville Power Administration has finalized the environmental assessment for the Olympic Peninsula Transmission Line Reinforcement Project.
 - 4.1.4 The Economic Development Council of Mason County submitted their first quarter report.
 - 4.2 Barb Adkins, Planner, read aloud the News Release proclaiming April 22, 2008 as Earth Day in Mason County. A celebration of the event has been organized for April 22nd at 10:00 a.m. to 2:00 p.m. at the Shelton Civic Center.
 - 4.3 Mason County Employee Group Update. Staff: Kelly Frazier – **To Be Rescheduled**
 - 4.4 Betty Wing, Central Operations Director, read the prepared News Release concerning the expansion of the case management rental assistance pilot project within Mason County. A 36-month grant in the amount of \$491,400 from Community Trade and Economic Development has been received to help prevent homelessness for families and individuals who are participating in existing case management service programs. The Mason County Housing Coalition meets the fourth Thursday of the month from 10:30 – 12:00 at Community Action Council.
 - 4.5 News Release – Public Health Week -- Vicki Kirkpatrick, Public Health Services Director, shared information on how Mason County is working to maintain public health throughout the community. She gave examples of public health: brushing teeth, wastewater emptied into a septic system which was reviewed and approved, driving a vehicle to work and buckling up first, wearing a helmet while riding a bicycle, wash hands with hot water and soap and dried off with a single-use towel that is placed in a trash container for sanitary disposal, going to lunch and people who were trained in safe food handling and restaurant or school kitchen inspected for hygienic practices. Also, the County is looking to meet the challenges of the 21st century.
 - 4.6 News Release – Solid Waste Disposal Vouchers -- David Baker, Utilities Manager, announced there would not be free disposal vouchers in 2008, due to the expenditure of services already provided for dumping of debris and demolition caused by the 2007 winter storm. The clean up efforts resulted in more than 250 tons of debris accepted at the county facilities for no charge which was far beyond the scope of the program and available budget. Mason County will offer aid to those in need of disposal assistance through Mason Matters beginning in May. In the news release which was read he expressed appreciation for the efforts of the many volunteers and groups that helped the community during the catastrophic event.
5. Open Forum for Citizen Input
 - 5.1 Matt Mayoshi, Director of Economic Development Council of Mason County reported on Coeur d'Alene Fiber Fuels. They have started construction on a 20,000 sq. ft building as well as a 22,000 square foot warehouse facility. They anticipate to begin operations in June 2008 and will employ 15 people in the pellet manufacturing operation.
 - 5.2 Diane Pape spoke about her detached garage located on property in Belfair within 300' of a landslide hazard area as defined by County Ordinance 17.01.100. She was informed she needed to verify the validity of the geotechnical report which was older than six months so she hired a geotechnical engineer to complete the review and write the amendment. The package was turned in to the permit

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office and sent out for independent review. The independent review came back with what looks like a checklist for the requirements for an entirely new geotechnical report.

She introduced Ken Martig, Martig Engineering, who provided the Board and Barb Robinson, Director of Community Development, with a 5-page handout regarding the project Mrs. Pape referred to.

Cmmr. Sheldon offered to meet personally with Mr. Martig as well as the Planning Staff.

Cmmr. Sheldon stated he would like to sit down and look at the project as there have been a lot of slides recently in the county.

Roger Denny, Licensed Contractor, also felt that immediate attention is needed to the geotech review policy. The county has five consultants to review all geotech reports required by Chapter 17 of the Mason County Code. Of the five consultants, four have authored reports since March 2008. He finds that a direct conflict of interest. Olympia Master Builders organized a development summit with county and city officials to address concerns affecting the building industry. One of the concerns recognized was the county's geotech review policy. The County staff reassured the group that the issue would be addressed. When asked how the review procedure was started, with little or no public input, he was advised that public input was not needed to develop county policies, as they are not codes. He challenged Bob Fink, Planning Manager, to fix the geotech review process with public input and offer training to properly identify sites and conditions.

The Board commented it is a tough subject. They are working hard to try and make it easier for the public, but also trying to protect public safety. They are happy to sit down to see what can be done.

6. Adoption of Agenda – **Cmmr. Gallagher/Ring-Erickson moved and seconded to adopt the agenda as published. Motion carried unanimously. G-aye; RE-aye; S-aye.**
7. Approval of Minutes – **Cmmr. Ring-Erickson/Gallagher moved and seconded to approve the briefing minutes for the week of March 10, 2008, special meeting minutes for April 4, 2008 and regular meeting minutes for April 8, 2008. Motion carried unanimously. G-aye; RE-aye; S-aye.**
8. Approval of Consent Agenda – The following items were read out loud.
 - 8.1 Approval of Veterans Assistance Fund applications for: Martha Sauer - housing \$600.00; Dean Simono - food \$300.00; Randolph Parker - food \$400.00; William Murray - housing \$450.00 and food \$150.00; Pou Noa - food \$248.36; David Stucke - food \$300.00; Kenneth Suchocki - food \$600.00; John Miller (Irma) - food \$600.00; Robert Mobley - utilities \$157.84; and Francis Daimantine - food \$200.00 for a total of \$4,006.20 as recommended by the Veterans' Assistance Screening Committee.
 - 8.2 Approval to cancel the April 29, 2008 Mason County Commissioner meeting in Belfair due to scheduling conflicts and a quorum is not available.
 - 8.3 Approval for the Equipment Rental & Revolving Fund Manager to utilize the Post-for-Quotes/Telephone Bid Procedures to purchase six new Digital Ally DVM-500 video camera and recording systems for traffic enforcement vehicles. Approximate cost is \$24,000.
 - 8.4 Approval of the contract amendment between Mason County and Vector Engineering, Inc. for consulting assistance on review of geological special reports used in permit reviews to add \$10,000 to the contract amount. Costs of the reviews are paid by the applicants.
 - 8.5 Approval for Public Works to purchase the pre-case concrete barriers from Peterson Brothers in the amount of \$8,377.60 for the Sand Hill Road project and \$8,651.65 for the North Shore Road project. These are both December 2007 storm repair projects.
 - 8.6 Approval of the Supplemental Agreement #2 for Construction Management Services with Hammond Collier Wade Livingstone for the Rustlewood Wastewater Treatment Plant project.

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- 8.7 Approval of Warrants
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| Claims Clearing Fund | Warrant #s 139077-139375 | \$669,347.81 |
| Salary Clearing Fund | Warrant #s 1271-1335 | \$333,465.91 |
| Direct Deposit Fund | Deposit #s 1716-2150 | \$601,442.08 |
- 8.8 Approval of Amendment #1 to the Tri-Party Memorandum of Understanding (MOU) between Mason County, the Skokomish Tribe, and Mason County PUD #1 to address the sewer management needs of the Skokomish Indian Reservation, the Potlatch area and the Hoodspout Rural Activity Center.

The chairperson asked if any commissioner or member of the public would like an item removed for further discussion. No one requested further discussion of any item.

Cmmr. Gallagher/Ring-Erickson moved and seconded to approve the consent agenda items 8.1 through 8.8 as read. Motion carried unanimously. G-aye; RE-aye; S-aye.

The Board recessed at 9:33 a.m. for five minutes and resumed at 9:38 a.m.

9. 9:30 a.m. Public Hearings and Items Set for a Certain Time
- 9.1 Public hearing to consider supplemental budget appropriations and a budget transfer to the 2008 Budget for the Oakland Bay Shellfish Protection District, the Environmental Health Department, District Court, Patrol in the Sheriff's Department and the Mason County Sheriff Search & Rescue Fund.

Budget Director Ione Siegler presented the staff report and outlined the supplemental budget appropriations:

Oakland Bay Shellfish Protection District Fund:
\$200,000 from Mason County Rural County (.09) sales and use tax to be used for Oakland Bay Shellfish Protection District.

Environmental Health/Public Health Fund:
\$184,800 from fees for services from the Oakland Bay Shellfish Protection District Fund which would be used to pay Environmental Health for services. They would be reducing the revenue budget by \$100,000 for an anticipated reduction in revenue from the Mason Conservation District. Existing staff will do the work for the Oakland Bay Shellfish Protection District of which \$84,800 will be used for operating expenses.

District Court/Current Expense Fund:
\$7,900 unanticipated revenue from court fines and fees will be used for operating expenses.

Patrol/Sheriff/Current Expense Fund:
\$5,500 unanticipated donation for search and rescue. It is requested to establish a new fund for Search & Rescue. The \$5,500 and \$4,000 in existing line items will be transferred into the new fund so existing.

Budget Transfer:
\$9,500 from Patrol/Sheriff's Department to the Mason County Search and Rescue Fund.

Cmmr. Ring-Erickson clarified that the money from District Court is money which they generate from their own revenues. Because it was necessary to have cutbacks this last year they generated enough revenue to restore some of the parts of the service package that was cut.

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Cmmr. Sheldon stated the \$5 fee that is collected on each parcel that is not forest land goes partly to the Conservation District and partly to the Public Health/Water Quality Division. That fee has been questioned by a court decision that has not been written. The County has stopped collecting the \$5 fee and that will impact the budget considerably.

The Budget Director explained it raises approximately \$250,000.

The Board noted it was enacted in 2002 with collections that started in 2003.

John Konovsky, Squaxin Island Tribe, spoke in favor of the budget appropriation Oakland Bay funds. This is a key piece of their strategy to get Oakland Bay open to shellfish harvest again. He stated that Squaxin Island Tribe has an interest in exploring the Conservation District tax assessment issue and would offer whatever support they can to help sort that out.

Cmmr. Sheldon noted that last year they had a tour with Congressman Norm Dicks at the Oakland Bay waterfront and talked about some of the things that need to be done. There are some buoys in the Hood Canal which are always monitoring conditions. He questioned if there is progress on this issue.

Mr. Konovsky stated it is a concept they are talking about. They don't have the money yet. There are some technical difficulties about Oakland Bay where they can put it because there needs to be sufficient depth of water. They can work those out as long as they can get the money.

Cmmr. Sheldon clarified that there appears to be ongoing efforts with the federal government.

There being no further comments, the public hearing was closed. The chairperson asked the commissioners if they had a recommendation.

Cmmr. Gallagher/Ring-Erickson moved and seconded to approve supplemental appropriations to the 2008 budget for the Oakland Bay Shellfish Protection District Fund in the amount of \$200,000, the Environmental Health Budget in the amount of \$84,800; the District Court Budget in the amount of \$7,900, and the Sheriff's Patrol Budget in the amount of \$5,500. Also, approve a budget transfer from Patrol in the Sheriff's Department to the Mason County Sheriff Search & Rescue Fund in the amount of \$9,500. Motion carried unanimously. G-aye; RE-aye; S-aye. Order (Exhibit A)

9.2 Public hearing to consider establishing the Mason County Water Conservancy Board.

Emmett Dobey, Utilities/Waste Management Director, stated in 1997, because of a large backlog of pending water rights, the legislature established a process for local governments to use to speed along the processing of water right changes. Mason County established a Water Conservancy Board in 2003. In early 2008, the Dept. of Ecology petitioned the County to dissolve the existing board because the membership was not current by attending the retired training sessions. The Board was dissolved with the intent of forming a new board. There are potential members that have completed the required Washington State Dept. of Ecology training and now are ready to assume the duties of that board. Emmett Dobey and Diane Zoren have worked with that group of citizens to establish the Board and an operating budget that would support the work of that board. Next week they will be asking the County Commissioners to appoint the members: Robert Gantenbein, Jr., Sam Sevier, Larry Mahoney, George Campbell and Boyd Smith. There are 32 hours of training.

The Chairperson asked if anyone had any questions of staff. No questions were raised. It was asked if the public had testimony.

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John Konovsky, Squaxin Island Tribe, stated water conservancy boards and tribes have always had an uneasy relationship. The Mason County Board was never very active when it was constituted. The Thurston County Board has been very active and they have had some difficulties in working out processes and hoped the Board would take that into consideration when they make their decision.

Cmmr. Gallagher/Ring Erickson moved and seconded to adopt the resolution establishing the Mason County Water Conservancy Board and bylaws. The Water Conservancy Board shall have three members and two alternates, who will be appointed by the Board of Mason County Commissioners. Resolution No. 47-08 (Exhibit B)

- 9.3 Public hearing to consider creating the Oakland Bay Clean Water District Board of Directors. Staff: Vicki Kirkpatrick

John Konovsky, Squaxin Island Tribe, expressed strong support of forming the Oakland Bay Clean Water District and Board of Directors. This is of key interest to them as they have received a \$625,000 grant from Environmental Protection District. The grant is written with the advisory board the overseer of that project. They are hoping to be on the ground this summer. He suggested the Commissioners consider an ex officio member or two on the board similar to the Board of Health so they are participating at all levels of the organization.

Cmmr. Gallagher stated the whole process has brought the good side of Mason County to the rest of the world.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve the resolution creating the Oakland Bay Clean Water District Board of Directors.

Cmmr. Ring-Erickson suggested the ex officio members would be appointed by the voting members of the board to participate in discussions.

Chairperson Sheldon stated the additional members would broaden the support and participation

Cmmr. Ring-Erickson/Gallagher amended the motion to approve the resolution creating the Oakland Bay Clean Water District Board of Directors with up to two ex officio members. Motion carried unanimously. G-aye; RE-aye; S-aye. Resolution No. 48-08 (Exhibit C)

- 9.4 Public hearing to consider amending Mason County Code Title 1, Chapter 1.10.020 to remove the Community Development Fee Schedule and maintain it as a separate document. This will not change the fees.

Kell McAboy, Planner, gave the staff presentation. The current County Code is outdated and this is a housekeeping issue. The fees are not changing at this time. They will refer to the ordinance.

Chairperson Sheldon noticed they have seen a decrease in activity. The *Bremerton Sun* reported that in February 2007 there were 100 home sales in Mason County and in February 2008 there were 38 home sales in Mason County. He questioned if there is a drop in activity in permitting.

Mr. McAboy responded she could not speak to that as she did not work with that type of information.

Cmmr. Gallagher/Ring-Erickson moved and seconded the Board of County Commissioners adopt the revision to Mason County Code Title 1 Chapter 1.10.020. Motion carried unanimously. G-aye; RE-aye; S-aye. Ordinance No. 49-08 (Exhibit D)

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10. Other Business (Department Heads and Elected Officials) - None
11. Board's Reports and Calendar - Each commissioner gave highlights of meetings from the previous week (4/8 – 4/15) and announced appointments on their calendar for the upcoming week (4/15 – 4/22).
12. Adjournment – The meeting adjourned at 10:11 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