

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

DECEMBER 9, 2008

1. Call to Order – The Chairperson called the regular meeting to order at 9:05 a.m.
2. Pledge of Allegiance – The flag salute was led by Undersheriff Jim Barrett.
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 John Diehl commented on the proposed amendment to Future Land Use Map and Rezone Request # 08-06.
 - 4.1.2 The Port of Allyn Board of Commissioners are asking for support in funding a trail system and would like the project placed on the 6 year TIP-CAP plan.
 - 4.1.3 Hugh Middleton submitted a change of address.
 - 4.1.4 Cathleen Markham and Pam and David Kiesel oppose the rezoning plans of Gig Harbor's Olympic Property Group and the Gig Harbor Gun Club.
 - 4.1.5 Gayleen Cox is seeking appointment to the Area Agency on Aging Advisory Council.
 - 4.1.6 Mason County Fire District #4 and the Port of Shelton submitted their 2009 Budget per RCW 84.52.020.
 - 4.2 News Release – Countywide Recycling -- David Baker, Utilities & Waste Manager, announced the commissioners intend to hold a public hearing on the 23rd to consider an ordinance, which provides residential curbside recycling at households with garbage service in unincorporated Mason County.
5. Open Forum for Citizen Input
 - 5.1 Brenda Hirschi spoke concerning the 2009 budget. She stated she did not want her comments to come across as harsh or rude. She felt there is something that needs to be said as she sees change happening in the country. From a grassroots level, people have spoken they want to see things done differently. They want to see the elected officials working together cooperatively. She has gone through and looked at the statutes revolving around the budget process. She sees there is a broken system. She did not think Mason County could afford to have an elected official, the Auditor's office, which is by statute required to present the budget to the Commissioners and to also have a budget function. She believed the County still needs to find some money to balance the budget and the budget director function could be eliminated. Possibly, there are residual jobs that need to go to Central Operations or the Auditor's office. She felt there could be real savings and did not see it as a mandate. She felt the County would be more effective and efficient if the numbers came from one office. The County needs an honest broker. As a taxpayer, she needs to know that the number is good and the numbers are not dancing. It has been really frustrating to her as a citizen the past few months to watch this process. Last Tuesday, when she sat in and heard the staff talking about what the baseline should be, she realized the county was in serious trouble. There are mandated services, in this county, that are being considered for reduction. She believed there is a way for the county to make the system more effective, efficient and a better use of the tax dollars.

Cmmr. Sheldon asked how she would estimate what a baseline in today's economic situation would be. What would the revenue be for 2009?

Ms. Hirschi stated the revenue is incrementally. They have to figure it out element by element. She stated the expenditures should not be dancing.

Cmmr. Sheldon questioned if Wall Street, congress or the state budget director figured out revenues for 2009. He noted this is a very difficult dancing number. The County has to balance the budget by law. Can someone tell the county, exactly where they will be in one year from now, what the revenue will be, how many television sets, how many cars, how many jobs will be lost, how much lumber will

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be produced, which mill will be shut down or continue, how many tourists come, what the price of gasoline will be. The difficult decision the commissioners face is finding the number that is most likely to occur in 2009.

Ms. Hirschi asked that element by element be estimated with the rationale on that estimate. On the expenditure side, that should not be a mystery. When a wish list comes in and it is reduced it makes the numbers suspect.

6. Adoption of Agenda – **Cmmr. Gallagher/Ring Erickson moved and seconded to adopt the agenda. Motion carried unanimously. G-aye; RE-aye; S-aye.**
7. Approval of Minutes – **Cmmr. Ring Erickson/Gallagher moved and seconded to approve the regular meeting minutes for November 18, 2008, corrections on Oakland Bay Clean Water District Board meeting minutes for November 18, 2008 and minutes for the week of November 24, 2008. Motion carried unanimously. G-aye; RE-aye; S-aye.**
8. Approval of Consent Agenda:
 - 8.1 Approval to set a public hearing on Tuesday, December 23, 2008 at 9:30 a.m. to consider public comment on the proposed 2009 Environmental Health Fee Schedule.
 - 8.2 Approval to appoint Maureen McCracken as a member of the Mason County Historic Preservation Commission under Mason County Code Title 17, Section 17.40.130(c).
 - 8.3 Approval the Veterans Assistance Fund applications for: Robert Mobley (Ruth) - food \$57.87; Ned Forrest - utilities \$154.63 and food \$445.37; Randolph Parker (Rena) - burial \$600.00; and David Degner - housing \$600.00 for a total of \$1,857.87 as recommended by the Veterans Assistance Fund Screening Committee.
 - 8.4 Approval to set a public hearing on Tuesday, December 23, 2008, 9:30 a.m. to consider adopting a Mason County Recycling Ordinance that provides residential recycling at households in unincorporated Mason County.
 - 8.5 Approval to set a public hearing on Tuesday, December 23, 2008 at 9:30 a.m. to consider amending the rate schedule for the North Bay wastewater system.
 - 8.6 Approval to appoint Michael Carnovale, James Naismith, Dick Taylor, Brian Cook, Ken Wilson and Frank Kenny to the Mason County Lodging Tax Advisory Committee for 2009 terms.
 - 8.7 Approval for Public Works to advertise, set bid opening date and time, award the contract, and authorize the Chair to sign all pertinent documents for the 2009 Manufacturing and Stockpiling of Mineral Aggregate. The contract award will be announced during a regular meeting of the Board.
 - 8.8 Approval to appoint Robert Gantenbein to the Mason County Water Conservancy Board for a 2-year term.
 - 8.9 Approval to award Seattle Mack Sales & Service of Des Moines, WA, the bid to furnish Mason County with two new Mack Cab and Chassis with 10/12 yard dump bodies, plows and sanders for Public Works. Cost for two trucks is \$358,623.00 including trade in allowance and tax as offered, and the option of the heated windshield for \$501.00 per vehicle. This is budgeted in the Equipment Rental and Revolving Fund.
 - 8.10 Approval to set a public hearing on Tuesday, December 23, 2008 at 9:30 a.m. to consider a budget transfer in the amount of \$20,720 from the ending fund balance in the Current Expense Fund to the Human Resources Department. **Resolution No. 128-08 (Exhibit A)**
- Cmmr. Gallagher/Ring Erickson moved and seconded to adopt all the items on the consent agenda. Motion carried unanimously. G-aye; RE-aye; S-aye.**
9. 9:30 a.m. Public Hearings and Items Set for a Certain Time
 - 9.1 Public hearing to review the request by David G. Berry to rezone one parcel (17.11 ac. area) within the Rural Area from Rural Residential 20 zone to Rural Residential 10 zone.

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Allan Borden, Planner, presented the request of Mr. Berry. He explained the applicant's property is located on Brockdale Road and over 75% of the property is either wetlands in the upper end of Johns Creek or slope to the north. That would be a considerable constraint on developing the property. The request is proposed to possibly put in two building sites on his property. With the buffers intended for wetland, the applicant only has 1.5 acres to develop. If the application is approved for RR10, there still could be two lots on the property. Mr. Berry could apply for performance subdivision and utilize the buffers in the division of property. The property was originally zoned RR20 because of the large size of properties in the area, most is commercial timberland or under timberland taxation. Also, the occurrence of the large wetland complex Johns Creek goes all the way to Oakland Bay. Staff has reviewed the seven applicable criteria for the request and finds the proposal meets all the criteria, including the change in zone designation from RR20 to RR10.

Cmmr. Sheldon clarified that given the buffers, with the 17 acres there would only be 1.5 acres available for building site.

Mr. Borden responded, yes.

Cmmr. Sheldon questioned under performance zoning, with the application it could go to a density of one dwelling per 10 acres (RR10).

Mr. Borden replied with a 17-acre piece of property, under a performance division, the applicant could get two lots. If the RR10 zone were approved he could possibly get three homes, but not likely four homes. The minimum lot size in performance subdivision is 20,000 sq. ft and that is barely 1.5 acres.

Cmmr. Sheldon stated the wet area of the property is the headwaters of Johns Creek.

Mr. Borden noted the applicant is willing to use the maximum wetland buffer of 200 feet from the wetland and it encompasses the entire slope area of the property.

Cmmr. Ring Erickson commented this is something that the Board has talked about a number of times. She remains concerned about what she would call sub-urban creep. You talk about an area with R20 and R40 kinds of divisions and prior to the actual Growth Management activity there was a number of areas so far subdivided that they have a look of a subdivision. Some of those are characteristics of a subdivision. They have a very fragile area. You could say one more house will not make a difference and one more house will not make a difference for public health in terms of density of septic or stormwater and traffic. By the time the cumulative effects of these there is an impact. One of the things they can do as a commission is continue to raise the ongoing concern. She is not inclined to support this particular action. It is at the upper end of Johns Creek, which is a particular fragile area. She has her own personal concerns and larger future picture for the county.

Cmmr. Gallagher referred to the terrain on the property and asked if the owner could build two lots on RR20.

Mr. Borden responded, yes they could build two lots on RR20. On performance subdivision they could create lots down to 20,000 square feet. That commits to maintaining the conservation areas, which are the critical areas, buffers and any open space. There would be just enough room on the northeast Brockdale Road side of property.

Cmmr. Gallagher asked what the advantage is for zoning a RR10.

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Mr. Borden stated there is not much of an advantage. The area available is triangle shaped. As you go farther west the lot becomes wider and not as deep. They might want to only put two lots in the area.

He added the 17 acres used to be part of a lot to the north, which is 20 acres in size. When the zoning was done in 2000, the northern half of the property was zoned RR5 and the southern portion was zoned RR20.

Cmmr. Sheldon commented the Commission is being consistent with the application of land use. It is a delicate piece of property. Under the provisions of performance zoning, the applicant could still get two residents if carefully crafted. It would be up to Mr. Berry's application.

Cmmr. Ring Erickson/Gallagher moved and seconded to deny the request by David G. Berry to rezone parcel number 42125-32-00010 (17.11 ac. area) within the Rural Area from Rural Residential 20 zone to Rural Residential 10 zone, and have the chair sign Findings of Fact for this decision. Motion carried unanimously. G-aye; RE-aye; S-aye.

- 9.2 Public hearing to consider adoption of the revised Mason County Comprehensive Plan Chapter VI (Capital Facilities) and Chapter VIII (Transportation) in accordance with RCW 36.70A.70.

Barbara Adkins, Planner, gave a staff report noting there are two chapters that are being considered. The state requires the financial components be updated annually. She noted that Charlie Butros, Public Works Director is present to address the Chapter VIII Transportation element. This chapter has a Six Year Capital Improvement Program (CIP) that is proposed by the Transportation Improvement Program Citizens Advisory Program (TIPCAP) and then adopted by the Board of County Commissioners.

The Capital Facilities element contains submissions, with project and finance information, from several departments: Utilities, Parks, Public Works, Facilities & Grounds, and the Sheriff's Department. Both of the chapters went to the Planning Advisory Commission in August for a workshop. Hearings were held and it is recommended to the Board for adoption with some edits.

Cmmr. Gallagher referred to the inventory of Washington State Department of Fish & Wildlife and noted that Lake Nahwatzel still has a boating facility that is not listed. Chapter VI; Page 41

Cmmr. Ring Erickson noted the proposal is somewhat revised from what they looked at in the past. The county has addressed a variety of capital facility needs. The Public Works new facility, retirement of the previous facility that was well beyond the expected life use, the acquisition of the 3rd & Pine building and transition of the Sheriff's Department into that facility are all remarkable achievements. Times are difficult right now and the County should take great pride in the progress in terms of supporting new infrastructure and the ability of staff to have the kind of facilities that meet minimum safety but also offer the opportunity to present a better set of services. She complimented the staff.

Cmmr. Gallagher also complimented the staff on the revisions. The strategic plans are not just a plan that is put on a shelf. He sees it as a living document.

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Cmmr. Ring Erickson/Gallagher moved and seconded to adopt revised Mason County Comprehensive Plan Chapter VI (Capital Facilities) and Chapter VIII (Transportation) in accordance with RCW 36.70A.70 with the addition of Lake Nahwatzel boat ramp, Chapter VI – Page 41. G-aye; RE-aye; S;-aye. Ordinance No. 129-08 (Exhibit B)

10. Other Business (Department Heads and Elected Officials)

- 10.1 Charlie Butros, Public Works Director, gave a report on the storm damage from last year's December storm. The revenues to date, from Federal Emergency Management Agency (FEMA) and Federal Highway Administration (FHWA) on damaged roads, total \$1,410,000. Expenditures to date total \$3,226,000. There are some expenditures currently being processed by FEMA and FHWA and that is the reason for the difference. The total estimated damage for FEMA projects is \$3,850,000. The total FHWA estimated damage is \$4,905,000 for a total of \$8,755,000. They are proceeding with work on some of the major projects.

Tahuya River Bridge – They discussed at the last Commissioners' meeting. They are continuing to work with Washington State Department of Fish & Wildlife to finalize the information, which they have requested on the backwater analysis. They are hopeful to have that resolved in the next several weeks.

North Shore projects that are requiring closure of North Shore Road -- Submitted design drawings 8/18/08 to FEMA and had some approval information in the way of questions and response to those designs that they are working through. They are hoping to get the final authorization. There has been some confusion on the authorizations. FEMA has provided information that they have authorized the funding for the project. That does not release the funding for the project so the County can go out and bid for the project. Several steps need to occur between authorizing the funding for the project and release of the funding. That is the phase they are in and many are interpreting authorization of the funding to mean they are moving forward and have been authorized to move forward, which is not accurate. The other North Shore project just beyond the 11.121 milepost is 11.6 milepost. The design is complete and they will advertise and award the contract once the 11.121 project is done. They need access through North Shore Road over the repaired area for that project.

Finch Creek Bridge – Will be ready for submittal to FEMA next month.

Sunnyside slides – Will be submitted for approval this month.

Cmmr. Sheldon stated they talked with Senator Patty Murray's office yesterday and they were helpful. The Emergency Services Director has been in contact with her and her staff as well.

11. Board's Reports and Calendar – The board members gave reports on meetings attended during the past week, December 2 – 9, 2008 and also shared their calendar for December 9 – 16, 2008.
12. Adjournment – The meeting adjourned at 9:59 a.m. Next regularly scheduled meeting is December 16, 2008.

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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