

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

April 14, 2009

1. Call to Order – The Chairperson called the regular meeting to order at 9:05 a.m.
2. Pledge of Allegiance – John Komen led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Lynda Ring Erickson; Commissioner District 2 – Tim Sheldon; Commissioner District 3 – Ross Gallagher.
4. Correspondence and Organizational Business
 - 4.1 Correspondence
 - 4.1.1 Robert A. Pastore asked that funds be made available to refurbish the Superior Courtroom.
 - 4.1.2 Don Reid is seeking appointment to the Mason County Board of Equalization.
 - 4.1.3 Peter Allison is seeking appointment to the Mason County Historic Preservation Commission.
 - 4.1.4 The Washington State Liquor Control Board sent notice of an application for added privilege for JR's Hideaway in Belfair.
 - 4.1.5 The Washington State County Road Administration Board is seeking nominations for the 2009 Engineer of the Year.
 - 4.1.6 Comcast will be enhancing their network in parts of Mason County.
 - 4.1.7 The Mason County EMS and Trauma Council is seeking guidance on updating their bylaws.
 - 4.1.8 Rick Hoss, Dan & Pam Ward, Debbie Smith, Herb Gerhardt, Caroline Rich, Brad Smith, June Henderson, Sheri Staley, Richard Caron, Marjorie and Walt Benson, Jane Quick, Tommy Thombs, and Beverly Voss-Petredis submitted comments on the current budget issues facing Mason County.
 - 4.2 News Release – Skateboard Park Celebration - John Keates, Parks and Trail Director presented the news release. The celebration will take place Saturday May 9, 2009 at noon.
 - 4.3 News Release – Mason County Celebrates the Completion of the Rustlewood Wastewater Plant on May 5th at 11:00 AM – Tom Moore, Utilities and Waste Management Deputy Director, presented the news release.
5. Open Forum for Citizen Input –
 - 5.1 Frank Kenny, North Mason Chamber of Commerce, presented the Mason County Recreation map. It's a partnership funded through lodging tax between the two Chambers, Mason Transit and the Parks department, along with other partners. It is the first recreation map of the whole county.
6. Adoption of Agenda - **Cmmr. Gallagher/Ring Erickson 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 March 23 2009 and April 6, 2009.

Cmmr. Ring Erickson stated she had asked that additional detail be added to the briefing minutes of March 23rd and they have not been fully redrafted yet.

Cmmr. Ring Erickson/Gallgher moved and seconded to approve the briefing minutes for the week of April 6, 2009. Motion carried unanimously. RE-aye; S-aye; G-aye.

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8. Approval of Consent Agenda:

- 8.1 Approval of Amendment A to Contract #E09-080 with the Washington State Military Department for E911 Wireline and Wireless services. Through a mid-year review process, counties have determined more accurate expenditure amounts and this amendment adjusts the funding based on the updated projected expenditures. The overall contract amount is amended from \$136,040 to \$54,122.
- 8.2 Approval for the Department of Public Works to solicit Request for Proposals to study the impacts to Stimpson Creek due to the reconstruction of Lower Elfendahl Pass which was damaged in the December 2007 storm. Also authorize the Deputy Director/County Engineer to select and execute an agreement with the selected consultant.
- 8.3 Approval to set two public hearings on May 12, 2009 at 9:30 a.m. to consider the revisions to the 2009 Annual Construction Program and revisions to the 2009-2014 6-Year Transportation Improvement Program. This is to include projects that are funded by the American Recovery and Reinvestment Act (ARRA) of 2009.
- 8.4 Approval to set a public hearing on Tuesday, May 12, 2009 at 9:30 a.m. to consider the Utility Franchise Agreement between Mason County and Pleasant Cove Water System.
- 8.5 Approval to schedule a public hearing on May 5, 2009 at 9:30 a.m. to consider adoption of revisions to Title 8 (Environmental Policy), Sections 8.52.170 (Fish and Wildlife Habitat Conservation Areas) and 8.52.110 (Wetlands) regarding " Danger Trees".
- 8.6 Approval to award the bid, and authorize the Chair to sign any pertinent documents, for the Courthouse Exterior Preservation project to Drury Construction as the lowest responsive bidder. The base bid is \$643,000 and will be paid from a Washington State Department of Archeology and Historic Preservation grant with a 50% match funded from the Real Estate Excise Tax 1 (REET 1) Fund.
- 8.7 Approval of Warrants

Claims Clearing Fund	Warrant #s 155778-156282	\$973,748.99
Salary Clearing Fund	Warrant #s 2429-2485	\$328,103.40
Direct Deposit Fund	Deposit #s 11545-11940	\$563,119.14

Cmmr. Ring Erickson commented on item 8.1. The Board had a briefing yesterday regarding the item. There was some concern whether it was a reduction that would affect the operating budget of Emergency Communications. It's not. It's primarily a deferral of one project.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve Consent items 8.1 through 8.7. 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 budget revisions (reductions) to the 2009 Current Expense Fund Budget in the estimated amount of \$1,100,000.

Ione Siegler, Budget and Finance Director, presented the staff report. This is a public hearing to take testimony and consider budget reductions to the 2009 Current Expense Fund budget. Revised 2009 revenue projections for the Current Expense Fund indicate that the revenue in that fund could be down a net total of \$1,100,000; and it is now necessary to reduce the Current Expense Fund expenditure budget by that amount. The initial proposed reductions are the Auditor reduction \$64,730, the Clerk reduction \$48,809, Probation Services reduction \$43,157, Sheriff reduction \$381,740, Superior Court reduction \$21,391, Budget & Finance reduction \$47,954, Central Operations reduction \$22,738, Department of Community Development reduction \$342,124, Facilities & Grounds reduction \$46,064, Parks & Trails reduction \$53,253, and WSU Cooperative Extension reduction \$28,040. These reductions total \$1,100,000.

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Questions for Staff

Cmmr. Sheldon stated that a lot of this is driven by revenue and revenue has dropped considerably. He asked if he was correct in saying that if you compare 2009 to 2008, sales tax receipts are down 15% in January, 3% in February and 26% in March.

Ms. Siegler stated that is correct.

Cmmr. Sheldon asked Ms. Siegler if she had ever seen any comparable figures to this scenario.

Ms. Siegler stated in her history as a Budget Director this is unprecedented. We are experiencing an economic downturn and this is completely driven by a lack of revenue.

Cmmr. Gallagher stated this is a 26 million dollar budget and this 1.1 million reduction is a reflection the whole budget. He asked if they acted at a later date would there be deeper reductions because there is less money.

Ms. Seigler stated it's still dependant on revenue. What is making it so difficult is the revenue is bouncing around like Commissioner Sheldon indicated with the sales tax revenue. It would depend on if revenues continued downward.

Cmmr. Sheldon stated that if they make layoffs and revenues come back they could adjust just as easily.

There were no questions from the public.

Public Testimony

Pat Swartos, Mason County Clerk, commented on the County Clerk's budget. She has been in the office 37 years, her Chief Deputy is just finishing her 23rd year, and most of her staff has been there a long time. She submitted her latest proposal last week. She is hoping she doesn't need to make these cuts. She has union employees and non-union employees. If she has to make these cuts she will have to cut her non-union employee's hours down to 35 hours a week, which would be her Chief Deputy, Ginger Brooks. Her other proposal is to cut her newest employee. If that employee is reduced from the budget a lot of other projects will have to be eliminated. If they cut staff, those that work for her will have a lot of overtime and they do not have time to take comp time already. The operating expenses left in her budget are not enough to complete this year. She has mandated expenses and they do generate a lot of revenue. There are collections for criminal fines, fees and other revenue areas. She has compared her budget with other county clerks in the state and she is really down towards the bottom.

April Hansen expressed that they understand as citizens that the Commission's back is against the wall. It is not a comfortable position to tell people that they don't have their jobs and that there's not money to do things. The citizens in the county are looking at their safety. Some do not choose to carry guns and they value the service that law enforcement gives them. A budget cut to loose 5 more officers isn't just saving \$300,000. We are also loosing what is invested in the training, which is over \$100,000 per officer. If these officers are hired in other places they will be hired as lateral entry officers and Mason County will have paid the training. In the future if the deputies are rehired we will have to pay this money again. We're not saving money, were loosing a lot more and we're losing public safety. This is a huge county. There aren't arterial roadways like in Kent or Tukwilla. Mutual aid is not available. These officers drive alone to dark wooded areas. Whatever we can do to save these positions we need to do. If we can't save these positions we need to look to the future to the way we collect for our roads and EMS on taxes, and try to find a way to insure we are going to have the standard of care that we want.

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Cmmr. Sheldon commented that the Sheriff's office has a budget of 9.5 million dollars. The proposed reduction of \$382,000 is about 4%. The Sheriff's office does have opportunities to utilize incentive money from the federal government. The Sheriff has already been awarded \$77,000 and there is additional stimulus money out there. It will help mitigate if these cuts are made.

Cmmr. Gallagher stated he going to Washington D.C. and he asked the Sheriff a week ago to give him a packet to present to Congressman Norm Dicks of how we can help our Sheriff's department. He has not received anything yet.

Robert Clark is concerned about the Sheriff's department arrangement. Most of the county population lives in rural areas. He is a mile off of the main road. He sees things going on like Public Works grooming the roads so they look pretty. He thinks they are trying to attract more tourists, but we will not have the services they need. He has fought his own budget and understands. He wants the Commission to look closely at other services and see how much they can cut. Law enforcement is the biggest thing the County provides for individuals.

Denny Temple is here in support of the Sheriff's department. He knows we are in a bind like everyone else. He wants to emphasis that public safety is the number one priority for the County. Other things are nice during good times, but a lot of time we can't afford it. Being an ex State Administrator he knows the budget and what you've got to do, but we have to have deputies on the road. We are going backwards and that's not acceptable. If nothing can be done but this cut he wants a commitment to the public that when times are better the deputies will be replaced.

Cmmr. Sheldon asked Mr. Temple how many of the deputies that might be laid off might be taken by the Squaxin Island Tribe.

Mr. Temple stated they have a good chance of taking them all because they pay more.

Cmmr. Sheldon noted that if some of these deputies are laid off and they go to work for the Squaxin Island Tribal Police and the Mason County Sheriff, the City of Shelton, the Skokomish Indian Tribe Police department, the Squaxin Island Police department, and the Washington State Patrol all work closely together, we would still have the same number of law enforcement people in Mason County.

Mr. Temple stated they do work with the tribes but there is a lot of territory the tribes do not cover.

Cmmr. Sheldon reiterated that there would not be a net loss of deputies in county. If everyone were to work closer together we may be able to decrease the impact of these reductions.

Mr. Temple stated it would help and this is one of the only counties where the Sheriff's office works with the tribes. The bottom line is there is a lot of territory they are nowhere near. There is always fat somewhere to cut.

Cmmr. Ring Erickson thanked the public for the point regarding training. There is an opportunity to keep some of that training in the community and transition it back as soon as we're able to.

Marjorie Benson stated she is only hearing about Shelton. What about North Mason? They only have their deputies. If they are cut we are going backwards again. She is opposed to these cuts. The citizens have gathered the money for the Sheriff's drug dog and are gathering money for a tracking dog. It's important that they are kept. There are more people in this county than just Shelton. North Mason counts too!

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Cmmr. Sheldon complimented Ms. Benson on her crime awareness group. He also stated that even though the Commissioners write the budget the Sheriff allocates the money. The Sheriff tells the officers where they need to be.

Daniel Woitas is concerned about the lack of police coverage in the North Mason area. There is a lot of overlap in other areas. He has been in the area 22 years. There are active drug houses and squatters. He continuously has people on his street in the middle of the night. It seems to be unconscionable to take away what little police protection they do have to satisfy the south county. It should be a unilateral distribution of resources. The pillar of any community is police and fire protection and the rest is just gingerbread.

Cmmr. Sheldon stated there is a balance. We need to have a probation department, a court system, a jail, and those things that support criminal justice. It's a tough puzzle to piece together.

Herb Gerhardt stressed that public safety overall is the county's number one concern. If he can't be safe he doesn't want to live here. In cutting the budget the Commissioners need to realize that \$100,000 per deputy has been paid and you will pay \$100,000 to retrain. If the deputies leave to Squaxin they will not come back. They are dedicated people and they love this county. If the law protection goes down it will be the Commissioners that suffer. If people are killed the Commissioners could be sued. He thinks Public Works should be shut down instead.

Cmmr. Sheldon stated the Road Fund is a dedicated fund. It can only be used for maintenance and construction of the roads. There is a small amount for traffic safety. You can't shut down Public Health and take that money and put it into law enforcement. One of the biggest problems is the allocation of these funds. He has been working in the legislature to get some flexibility.

Mr. Gerhardt stated we cannot afford to loose anymore deputies. If you cut back 4 deputies the north end won't see one person.

Cmmr. Sheldon stated the Board can only cut the bottom line. It is up to the Sheriff to make the decisions were he'll cut. It is up to the elected officials to allocate their resources.

Steve Grout presented a handout to the Commission. He is the spokesperson for the newly formed Public Safety Coalition. Members that have committed so far are the Mason County Sheriff's department, the Mason County Fire Commissioners, the Mason County Fire Chiefs, the Skokomish Tribal Police, the Squaxin Tribal Police, and the Shelton Police department. They are still trying to contact the Washington State Patrol and are hoping to add DNR, Washington State Parks, and Fish and Game. He does not envy the Commissioners job. He hopes to present solutions.

The Coalition is committed to giving the very best emergency service to the citizens of Mason County. They are 100% against any more cuts to the Sheriff's department. The worst-case scenario should be very minor cuts. What is most disturbing is that crime against persons and property is on the rise. This county has the highest non-urban crime rates in the state and response times will get longer. He doesn't want to go back to the way it was before. Officers will be responding by themselves and he cannot remember a time when they have had so many officer involved shootings. Another situation is the closure of the bridge. DOT gave some estimates, but in the past they were way off. The Sheriff's department has already lost a number of positions. He is worried that the patrol division will be the next cuts.

Some possible solutions are to have other department heads stay within their budgets. Also, fee based departments aren't supporting themselves, which needs to be looked at. If you enter into negotiations,

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instead of a big lump sum of money coming out of the County budget, there might be a possibility to make a payment. He believes the economy is coming back.

Steve Van Denver stated has heard that these are positions that are being cut. He is not hearing about a partnership between elected officials. The Commissioners have already cut their staff hours to save staffing. He isn't hearing that anywhere else. If we have to loose a day of services at the County lets do that. We need to close the County for a day, reduce the hours of service, or reduce the hours of employees. He's not hearing the partnership. We've already lost the services to the north end. Follow the lead of the County Commissioners and cut staff to 32 hours or close a day. Elected officials get together and cut your hours and save a position.

John Strasburger has been a member of the Sheriff's advisory since 1987. He's seen law enforcement when all they could do is take 911 calls and take reports. Now that Sheriff Salisbury has taken over there is a response. There are more deputies and when you call you get an answer. The Sheriff's office now cooperates with other departments. They have a drug dog, which he believes makes a profit. He urges that public safety comes first. If he has to protect himself and misses he'll blame it on his Senator. The first duty of government is to protect the citizen's safety.

Allan Krivor represents the newly formed Tourism Association. He read an email he sent to the Commissioners. He believes if law enforcement is cut it will affect tourism. With more tourism there is less economic shortfalls. He presented a spreadsheet to the Board.

Linda Helms is the Vice President of the Tourism Association. They are all in agreement that cutting the Sheriff's budget just cannot happen.

Cmmr. Sheldon noted we are the second fastest growing county in the state and the fastest growing county west of the Cascades, but the recession hits everyone.

Randy Netherlin stated when they all ran together in 2004 their paramount responsibility was protection. He doesn't envy the Board's position; it's the hardest position anyone can imagine. He is one of the educated gun carrying individuals. He thinks it's important that the community works together with law enforcement to take care of their own communities. He gave an example of an incident where he needed to use his weapon. He believes we still need to work together, but law enforcement needs to be fully funded so they can have officers somewhere at the drop of a hat. The loss of one officer can have an impact. Once the officers cannot protect each other they end up facing criminals on their own. Having backup is extremely important. He agrees with Steve VanDenver's comments and emphasizes the money spent on training officers.

Jud Hildebrandt introduced a young man, Cody Simon. They represent the Parks department. In the light of the Sheriff's department being cut the Parks department is overlooked. The young people rely on the Parks department to stay out of trouble. A lot of the responses from the Sheriff's department are for vandalism. Most of that is just kids getting in trouble. They have started a petition to save MCRA, even though they heard it's a rumor that it will be cut. The Parks budget is getting cut at its busiest time, baseball season. If Parks are cut fields will get rained out. They are already trying to create extra revenue.

Cmmr. Sheldon stated there is an excellent Parks Director that works with the citizens. There is no truth to the rumor that MCRA or Sandhill are being cut. They have already raised the fees to create more revenue.

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Cmmr. Ring Erickson stated there is some money that comes from real estate sales and it can only be used for capital improvements. The Board has asked the legislature for two years to be able to use that for operating. If we get that flexibility we couldn't use that money for the Sheriff's office but could use it for the Parks department. There is a lot of faith in the Parks Director. He has been very optimistic about looking to the community and service clubs to keep things stable during this transition.

Karen Herr, Mason County Auditor, commented on the budget reductions proposed for her office. She has requested to meet with all of the Commissioners prior to this meeting to discuss this issue, but Commissioner Sheldon has been unavailable. The Auditor's office provides everyday services for everyday people on a daily basis. Among those services are document recording, vehicle licensing, election services and financial services for county government. They provide all of these services with only 12 employees. They have lost 3 ½ positions and non-union employees are working reduced hours to save money. Their revenues have increased for the first quarter of this year by \$45,000. Their revenues are generated by everyday citizens using services that are required by the government. The citizens should rightfully expect efficient services when complying with requirements. The proposed budget reductions will make it impossible to provide that level of service.

The importance of fair and accurate elections cannot be overstated. The Elections department has an excellent performance record. Staff has been cross-trained in elections to help when needed, which saves dollars by eliminating the need for temporary help at election time. It's vital to retain trained personnel.

They all have a responsibility to be good stewards of taxpayers' dollars. Her Financial Services department audits and pays the bills for every County department. She knows how the County spends their money and the Auditor's office has been unusually good stewards of the taxpayer's dollars. To date her staffing levels have been reduced by 19%. The additional proposed budget would cut it to 28%. It seems excessive compared to the Countywide average reductions, which are 9%. The services her office provides are State mandated and the citizens depend on them. They deserve an explanation for the decision.

Brenda Hirschi stated on March 24th there was a news release discussing the economic conditions within the county. In the news release it was mentioned that there are State mandated requirements and priorities. From what she has heard today there are single issue comments. People are advocating their area of concern. What is missing in the County's budget process is a prioritized list of requirements. What is State mandated? She has encouraged the Board to put these requirements together for the 2010 budget and let the public see them in context. Citizens are educated and understand well enough to know this isn't how the County should be run. They shouldn't be forced into false choices. They want a prioritized list of requirements.

Casey Salisbury, Sheriff, thanked the citizens for their support. He also thanked the Auditor's office because they carried the financial services for his office for the first couple of months. He has received numerous comments regarding citizen use of firearms in the last few days. He is not opposed to responsible gun ownership. He respects Commissioner Sheldon for standing up for what he believes in, but with every right comes a responsibility. In the last two days there were two situations regarding citizen gun use. The point is that when incidents occur law enforcement is still called to process the scene, resulting in no less calls for service. He gave another example of a situation where citizen gun use could have gone wrong. He doesn't want his right to responsibly carry a firearm compromised.

The Sheriff's office has never expected to go without cuts, but to what degree? What the public views as an acceptable level needs to be heard and the public's priority is safety. Each person here used the platform of public safety when running for office. Another sheriff has said it's no longer safe out here, move within your city limits and their worst day is a regular day in Mason County. We have one of the highest crime rates in the state according to the FBI. There were 137 violent crimes in the community. We double the surrounding counties in violent crime. There were 155 property crimes. We have double

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the number of crimes in each category to our comparable counties and most of these counties have multiple cities to assist them. Continuing to overlook public safety as a priority has got us into this situation. Every previous sheriff has said the same thing.

The Sheriff's office has lived within their budget and has made many accomplishments. They now nearly meet the federal minimum recommended numbers for deputies. They have formed a narcotics task force, which has taken drugs out of the community. The narcotics unit has paid for itself in fines and arrests. They have formed a traffic unit as a result of the Washington State Patrol discontinuing responses on County roadways. They have completed the formation of a fully equipped SWAT team. They have worked to pass a 1/10 of 1% communications sales tax with the support of the community. Throughout all of these cuts it is disappointing to see that the public's safety and law enforcement officer's safety is being compromised. Please consider the public's opinion and public safety when considering these cuts.

Theresa Ehrich, Chief Accountant for the Auditor's office, stated they have had 5 staff members in their department for over 25 years. They didn't fill a vacancy in their office last year because they were aware of the financial situation in the County. They have fewer staff than the departments they actually audit. The Auditor has had over 19% in reductions. She wants awareness of what the Auditor, Chief Financial Officer, does in this county because it is different than in other counties. There are 26 districts to facilitate including a new hospital district. They do all of the County departments' payroll. They spend a lot of time helping the districts. They help all departments on a daily basis. By law, they need to begin the budget process in July. The information is given to the Commissioners on the first of September. They make all the changes to the budget in the system. She listed further responsibilities of the Financial Services department. Her office gave a recommendation in April of 2007 to stop spending and monitor cash flow and reserves. She recognizes the situation we are in currently. It is vital that her office is recognized for the mandated duties they have to accomplish and are given the appropriate staff.

Sharon Fogo, AFSME Union President and Clerk's office, stated staffing is a major issue in her office. When she started in 1992 the County Commissioners negotiated their own contracts. There was no Human Resources department. There was no Benefits Coordinator, except for what was done in the Auditor's Financial Services department. It seems like if they are being requested to cut the Clerk's office back to 1992 levels than maybe we should do likewise elsewhere.

Gerard Fitzpatrick appreciates the outpouring of support for the Sheriff's office. He has spent many years in law enforcement himself. There is a serious issue with the potential loss of 5 deputies in Mason County. He has worked with many departments and they all put their heads together when this crunch comes around. We have the finest deputies in Mason County. Most people don't want to be taxed anymore than they already are. His suggestion is to propose a one time levy of \$400,000 to provide adequate and safe law enforcement for the community.

Cmmr. Gallagher commented that there has been some discussion of a 3/10 of 1% levy. In starting this discussion he thought it would help the Sheriff, but it also helps the City of Shelton and the criminal justice system. If the County gained a million dollars the Sheriff wouldn't get it all. It's needed but we need money now and we wouldn't see the benefit until 2010.

Cmmr. Sheldon stated he appreciates the testimony. People came a long way and spoke from the heart. This is a time of unprecedented financial difficulty for this county, other counties, the state and the country. The sales tax collections are extremely disappointing. The County is mandated by the Constitution, the State and our own ordinances to have a balanced budget. Unlike the State, we don't have a rainy day fund. We don't have the Fed, the Treasury or FDIC, we don't have those types of resources. We have to provide the best service we can with the money we have.

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Cmmr. Ring Erickson stated she appreciates people's thoughtful comments. It is an important part of what makes this a good community. It's not ever easy to be an elected official, but during times like these it's particularly challenging. It's like being married, in poverty and in good times. We are all challenged to do a better job of making use of every taxpayer dollar. The County collects the property taxes but we don't get to keep them all. Most of the property tax goes to the State and very good causes like schools and fire departments. Consequently, between 9% and 13% of property taxes stay here and offer a package of service. The Road Fund is separate. If we took money out of the Road Fund we would lose all of our State dollars. The Board has already made the decision to divert the maximum amount of money from that fund for traffic safety. It's a difficult decision, and she has heard everyone, but the bottom line is we cannot spend dollars we don't have. This was not a thoughtless proposal. She understands the cuts departments have taken in the '09 budget approval in December.

Cmmr. Gallagher has stated all along we need to find a balance to serve the community and citizens. Everyone has been provided a list, which shows that Community Development took a 34% reduction and Superior Court took a 13% reduction. He's not sure where the Auditor got her numbers, but he added up 10%. The Clerk is at 12%. Several months ago they had a meeting with the elected officials and the Prosecutor told people about mandated services. Afterward he commented that they don't get it about the money situation. There was an elected official breakfast recently and he talked to the Prosecutor again and said do they get it now? The county relies on revenue just like schools. A good portion of taxes pays for schools. He has high hopes that the economy will turn around. We rely a lot on tourism so come visit Mason County!

Cmmr. Sheldon stated it's always tough to make reductions. The Board has heard from a lot of people focused on the Sheriff's department. In December they made a cut to the Sheriff of 1.2%, this proposed cut is 4%, for a total of 5.2%. That is the lowest level of reduction for any department and it's a department that has a 9.5 million dollar budget. About 72 cents of every dollar in Mason County is spent on criminal justice. It's a tremendous volume of dollars that go into public safety.

Cmmr. Gallagher/Ring Erickson moved and seconded to revise the Current Expense Fund department expenditure budgets in the following amounts: Auditor \$64,730, Clerk \$48,809, Probation Services \$43,157, Sheriff \$381,740, Superior Court, \$21,391, Budget & Finance \$47,954, Central Operations \$22,738, Department of Community Development \$342,124, Facilities & Grounds \$46,064, Parks & Trails \$53,253, and WSU Cooperative Extension \$28,040. Motion carried unanimously. RE-aye; S-aye; G-aye. Budget Order (Exhibit A)

Cmmr. Ring Erickson stated she is committed to working with all of the departments as revenues come in. We probably will be balancing the budget again over the course of the year.

Cmmr. Sheldon commented that we can do better at coordinating all of our law enforcement activities throughout the county. We need to be looking for efficiencies in all of the County departments to try to save money and provide all of the necessary services.

Cmmr. Sheldon called a recess 10:50 a.m. The meeting reconvened at 11:05 a.m.

- 9.2. Public hearing to consider adoption of a revised Title 5, Section 5.18 regulating temporary outdoor public events.

Cmmr. Sheldon stated the intent is to continue this hearing to April 28, 2009, which is an evening meeting.

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Barbara Adkins, Department of Community Development Co-Manager, presented the staff report. They are looking to revise chapter 5.18 of the Mason County Code. This chapter currently addresses music festivals. It was adopted in 1981 to provide a permitting and regulating process for music festivals in Mason County. They are proposing to revise this chapter to cover all large events that meet the criteria of the proposed ordinance. The proposed ordinance has been placed on the website and they have received comments from various sources. That is one of the reasons she is asking the Board to continue the hearing until the 28th. They need to speak to more people and take more public comment, and possibly come back with a revised version for consideration.

Questions for Staff

Cmmr. Ring Erickson stated this originally came to the Commissioners' attention shortly after she came to office. There was an old "Woodstock" ordinance that dated back to the late '60s, early '70s, that didn't seem to be appropriate in dealing with the kind of community festivals they were seeing. It is her understanding that this ordinance wouldn't apply to places like the Fairgrounds, Alderbrook or existing facilities. It applies more to an event that would take place in an area that isn't normally open for that kind of event.

Ms. Adkins stated that is correct.

Cmmr. Sheldon asked if an event like the 4th of July Celebration at Alderbrook would be covered by this ordinance.

Ms. Adkins stated she's not familiar with the event. There is language about "more than 1000 people" that needs to be clarified. The ordinance doesn't allow things in rural areas unless it's rural residential. It is for urban areas, urban growth areas and rural residential areas. You couldn't go to an agricultural district to have a large event. There was a circus and carnivals ordinance adopted in the '50s. Music festival and circuses are covered but nothing in between.

Cmmr. Gallagher asked about paragraph F regarding location. Have there been comments about the locations such as churches, residences, or schools?

Ms. Adkins stated she hasn't received comments about the locations. There have been concerns about the overall proposed ordinance, but not specifics. One of the areas of concern is the events that already occur in Mason County. She has drafted language that would grandfather in events that are repeat annually occurring events that happened at least two years prior. They would still need to keep track of what the events are doing. She is trying to find a way not to burden the events that have been successful over the past several years.

Cmmr. Sheldon asked when the draft would be finished.

Ms. Adkins stated the language has been drafted but she would like to hear more comments.

Frank Kenny, North Mason Chamber, asked if the Taste of Hood Canal, Allyn Days or Grapeview Water Fest ever gave cause to write something like this, or are they just caught up in it.

Barbara stated no specific event triggered this ordinance.

Randy Netherlin stated he understands Taste of Hood Canal and other events have to abide by this.

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Ms. Adkins stated yes, as it is written right now, but she is working on language that could grandfather some pre-existing events that are functioning well. They would just keep records on the events.

Jerry Obendorf asked why we need the ordinance.

Cmmr. Ring Erickson stated there was an old ordinance on the books didn't appear to be as thoughtfully developed as the Board would like for today's interaction with events. The process was started in 2005. It was to be updated so there would be meaningful interactions with events and some consistency.

Cmmr. Sheldon stated we are looking for a way to standardize things. We have to be concerned about things like public health, public safety, and traffic. There is no intent to harm or put any onerous restrictions on any ongoing successful festivals. There are a lot of successful festivals in Mason County that are good fundraisers that bring people to the community and he doesn't want to damage that. We are looking for a balance.

Public Testimony

Frank Kenny stated he is glad to hear that the Commission understands the importance of the festivals that are already established. It is the unintended consequences of this thing he is concerned about. The ordinance has gone way to far. He hasn't commented on it because it is not fixable in it's current form. We need to start from scratch with a stakeholders group.

Cmmr. Sheldon stated he would like to see something in writing.

Randy Netherlin, Port of Allyn Commissioners, read a letter from the Port regarding their concerns about the ordinance. They feel the changes would have a negative impact on community organizations and the economy. They are requesting no action be taken and the ordinance be redrafted.

Ken Wilson presented the Commission with a letter. He thanked the Commission for all they do with lodging tax funding. The way the amendment is written is a bit frightening. There needs to be more time to work together with staff. He's disappointed this discussion is taking place. He understood there would be no comment today. Covering all of the challenges with a single blanket is one of the problems. Why not do what has been done in the past? Put together a stakeholder committee to work with staff and address this line by line. He wants to make sure that tourism isn't affected by this.

Cmmr. Sheldon clarified the Board will be taking more public comment on April 28th. He encouraged everyone to get a group together to come in and work with staff.

Herb Gearhardt stated his feeling is the ordinance is a good thing. You need some sort of control of these events. As far as the language, there needs to be definitions added. A committee composed of stakeholders, staff and private citizens needs to be formed.

Jeff Carey, Allyn Community Association, stated there is always confusion in this county on how things work. Something like this comes along and there is barley 30 days. There needs to be predictability. There is a lot of fine print that needs definitions. He is concerned about the insurance portion. There is a hodgepodge in the County Code and there needs to be clarification. He didn't understand until today that this only applies to the urban growth areas.

Cmmr. Sheldon stated that maybe if the definition section were expanded it would answer some of these questions.

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Mr. Carey stated he would like to see the County create a uniform structure on how to create a code. There needs to be a uniform process that works between staff, the Commission and the community.

Bonnie Knight stated she is involved in a number of these things. She is concerned that the scope of this whole thing could affect whether there are festivals at all.

Cmmr. Ring Erickson stated there is some frustration on her part because she thought the Central Operations Director was working on this for the last 4 years. She thought part of what was happening was the community being involved in conversion. She would like to hear from people, but there is a need to move on this particular item so that there is consistency throughout the area on these things.

Cmmr. Gallagher/Ring Erickson moved and seconded to continue the hearing to consider adoption of a revised Title 5, Section 5.18 regulating temporary outdoor public events to April 28, 2009 at 6:30. Motion carried unanimously. RE-aye; S-aye; G-aye.

9.3. Public hearing to consider adoption of the Countywide Stormwater Management Plan Ordinance.

Charlie Butros, Public Works Director, presented the staff report. He is here today to propose adoption of a stormwater management plan. They have been working on this for 2 ½ years. They have put together plans for Allyn, Belfair and Hoodspout that the Commission has adopted. In those discussions there were questions and comments requesting clarification on what was intended countywide and how the program would be implemented countywide. This has provided answers to those questions. The plan issued for public comment presents an approach that is consistent with the needs and requirements that have been imposed. It is at a point where they are continuing to clarify implementation steps. Many of the questions received were related to how to apply fees or require certain things. It is not at that point yet. The intent, as part of the implementation steps that will continue over the next several years, is to evaluate those types of applications. The public will be involved in that. Initially there were proposals and recommendations based on what other entities similar to ours had applied. At this point Mr. Dobey is taking on the management of the program and the implementation phase, and will be continuing to develop those aspects of the program. He wanted to clarify that some of the proposed expenditures in the plan are not well defined. The projections for program costs and capital expenditures are based on the recommendations made in plans that have been adopted. Obviously they won't be able to spend money they don't have. They are continuing to seek grants and evaluate how revenues will be established to fund the needs of the program. If there isn't funding they won't be able to move forward with the implementation steps.

Dr. Joe Simmler stated this plan provides a balance for guiding development and protecting resources. Future regulatory compliance has been built into the plan. In the future the County will be granted a National Pollution Discharge Elimination System permit. It's about a year or two away. There is a lot of emphasis on water quality and shellfish protection. It focuses mainly on urban areas, but it also enhances and protects the shellfish rearing areas. The nice thing is that it provides a long term vision for growth, as well as regulatory compliance and protection for some of these resources. The plan will be phased in in a 5-year step process. The emphasis is first to go to the urban areas. In year 1 the Allyn and Belfair Urban Growth Areas, year 2 marine recovery areas, year 3 shellfish protection, year 4 rural activity centers and finally in year 5 the rest of the county. This does exclude open space, forested lands, agricultural land and tribal land. The financial plan is summarized by stormwater management programmatic activities and capital needs. There is a balance between the two. These are projections of costs. There is an initial grant the County has been fortunate to get from Ecology for about 1 million dollars, which

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will initiate a lot of these programs and activities. Part of this will be to bring on a stormwater utility and other grants and loans in the future so the revenues will be balanced. The public review process has been extensive. The input they have received was mostly asking for additional detail. That has been built into the plan. There is an annual review and an adaptive management process.

There were no questions for staff.

Public Testimony

Jeff Carey stated he understands the community needs to address stormwater. He is concerned about how this is applied fairly. There are areas that don't have that much stormwater retention and areas that do. Eventually this is going to be a tax on impervious surfaces. We can only get away with grants for awhile. The Board needs to find a fair way to address that. With funding, he is concerned that these grants could blindsides the public and at some point a bill could come up. Residents need to know this is coming so they can make decisions on levies they support or don't support. In the Planning Commission meeting he attended he noticed there needs to be more baseline monitoring. He understands shellfish harvesting in North Bay has been closed. The idea with the sewer system up there was to clean up the bay. We need more feedback loops to make sure things we are investing money in are working. If Mason County creates a comp plan for capital facilities it should figure out how to fund this thing soon in the game.

Bonnie Knight stated she has been involved in this. The first plan that went through was so bad that it got completely changed. She appreciates the fact that they took a second look. She commends the Commissioners, Charlie Butros and others involved in getting this to something that people can live with. She understands there will be a financial impact. The adoption of low impact development standards will be a huge help. The impact on the bay will be far lessened by having this in place. One of the main areas is Lakeland Drive. She hopes it is one of the main places to look at when grant money does come.

Jerry Obendorf, Mason County Association of Realtors, thanked the County for all of the work on this project. The Realtors know the value of good water and the necessity of maintaining the ecosystem, which allows it to foster the resources we depend on. Clean water is economic development. The Realtors have some concerns regarding the plan. They would like to know what the passing of the plan would accomplish. Will the County begin to work toward everything in the philosophy section? Will utilities start charging immediately? Would the retrofit of impervious areas be a burden placed on private property owners? Is there any chance the County could obtain more funding from the department of Ecology? The other issues with the plan include the goal of retrofitting impervious surfaces. The goal is too challenging to achieve at this point in time. Also, funding of the plan by including a monthly service fee could be challenging for homeowners in these challenging times. They are concerned the costs of this plan fall too heavily on the building trades. All of these fees could effect the affordability of new housing in Mason County. We are lucky to have housing that is more affordable than neighboring counties. All of the costs involved may be too high for our residents.

John Bolender, Mason Conservation District, commended the Commissioners on initiating this conversation in the community. Stormwater is one of the single biggest resource concerns and has one of the greatest potential impacts on our economy. As these plans evolve and unfolded, hopefully they are works in process and can be improved over time. There will be some effects on people that are unanticipated. The Conversation District is here to assist residents and builders and developers who may find themselves having trouble complying with the plan. They are working with a school district to retrofit on a pretty serious surface water issue. They may be able to help them resolve the issue with

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low or no additional cost to their remodel project. They stand ready to help the Utilities department and Public Works department implement a strategy with the least impact to the public.

Cmmr. Ring Erickson commented that it disturbs her that it was suggested that Public Works is not important. The fire and police departments cannot get to where they need to go with out the road system. The person whose culvert is backing up into their home, or has a slide impending because of road maintenance or stormwater, probably thinks the road system is pretty important. Regarding the plan, this is a place to start, but it doesn't answer all of the questions. There is a consequence of living so close to so many fragile bodies of water. If we don't keep these bodies of water in good condition much of the value of living in our area would be irrelevant. She doesn't want to be in a position of lacking the stewardship to address that important resource. One of the things to look at as a Commission would be to establish a stormwater or utilities committee to broaden the public input.

Cmmr. Gallagher stated the one thing the Commissioners can't control is the weather. Regarding the comment about North Bay being closed, it was because of the rain. He has read several versions of this plan and it's a long time coming. It's smaller than the Allyn plan. It's time to move forward on this for the protection of our water quality.

Cmmr. Sheldon stated 3/4 of the population lives within one mile of saltwater or freshwater. It's a very important issue.

Cmmr. Ring Erickson/Gallgher moved and seconded to execute the ordinance adopting a Countywide Stormwater Management Plan. Motion carried unanimously. RE-aye; S-aye; G-aye. Ordinance No. 33-09 (Exhibit B)

- 9.4. Public hearing to consider the utility franchise agreement between Mason County and Island Shores Water System.

Charlie Butros presented the staff report. This hearing is to propose adoption of a franchise agreement between Mason County and Island Shores Water System. This is one of several utility agreements that have been brought forward for approval. This specific agreement had been applied for approximately a year ago and the applicant needed additional time to get their insurance in order. He recommends approval of the agreement.

Questions for Staff

Herb Gerhardt asked if the County will manage the system like Beards Cove.

Mr. Butros stated no, this is a portion of a system that utilizes County rights of way too get water from the well to various users. Since it uses the right of way there's a requirement for a utility franchise.

Mr. Gerhardt asked if the County has no ownership but right of way.

Mr. Butros answered that is correct.

There was no public testimony.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve and execute the Utility Franchise Agreement between Mason County and Island Shores Water System. Motion carried unanimously. RE-aye; S-aye; G-aye.

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- 9.5. Public hearing to consider supplemental appropriations to the Current Expense Fund Budget in the amount of \$117,000, a supplemental appropriation to the Sheriff's Volunteer Fund Budget in the amount of \$1,000 and a budget transfer in the Current Expense Fund in the amount of \$1,718.

Ione Siegler presented the staff report. This is a hearing to consider supplemental appropriations and a budget transfer to the 2009 budget. The supplemental appropriations are \$20,000 in additional unanticipated revenue from the jail inmate phone service that would be used to offset overtime for courtroom security. The \$7,000 donation from the Squaxin Tribe is going to be used for operation and maintenance of the Skateboard Park. Planning in the Department of Community Development has \$90,000 in additional unanticipated revenue from a Washington State Department of Ecology grant for Watershed Resource Inventory Area 16 for the implementation of the South Shore of Lower Hood Canal Plan. \$1,000 will go to a new fund the Sheriff wanted established called the Volunteer Fund. It is \$1,000 in private donations that would go into the fund for the 2009 budget.

Cmmr. Ring Erickson asked what the intended use for the Volunteer Fund is. Is it a general fund for the Sheriff?

Ms. Siegler stated it is her understanding that it is a general fund for the volunteers.

Ms. Siegler noted there is also a budget transfer coming from the ending fund balance of the Current Expense Fund of \$1,718 to the expenditure budget to conduct a promotional examination for the position of sergeant, as they recently had a sergeant retire.

Herb Gearhardt stated there use to be a private bank account for the volunteers that has now been moved to the Sheriff's fund. The volunteers are the sole recipients of that money and they vote on how to spend the money. The Sheriff does not control it.

There were no questions for staff of public testimony.

Cmmr. Ring Erickson/Gallagher moved and seconded to approve supplemental appropriations to the Current Expense Fund Budget in the amount of \$177,000, a supplemental appropriation to the Sheriff's Volunteer Fund Budget in the amount of \$1,000, and a budget transfer in the Current Expense Fund in the amount of \$1,718. Motion carried unanimously. RE-aye; S-aye; G-aye. Budget Order (Exhibit C)

10. Other Business (Department Heads and Elected Officials) – There was no other business presented.
11. Board's Reports and Calendar - The Commissioners reported on meetings attended the past week and announced their upcoming weekly meetings.
12. Adjournment – The meeting adjourned at 12:00 p.m.

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BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Tim Sheldon, Chair

ATTEST:

Lynda Ring Erickson, Commissioner

Shannon Goudy, Clerk of the Board

Ross Gallagher, Commissioner