

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

November 3, 2009

1. Call to Order – The Chairperson called the regular meeting to order at 9:03 a.m.
2. Pledge of Allegiance – Ken VanBuskirk 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 The Washington State Department of Natural Resources sent their projection of income from State forest lands.
    - 4.1.2 Comcast is available to begin negotiations to reaffirm their franchise agreement with Mason County.
    - 4.1.3 The Washington State Liquor Control Board sent notice of change of corporate officers for Alderbrook Golf and Yacht Club.
    - 4.1.4 Belfair Water District No. 1 sent a copy of their resolution 09-6 for annexation of Riverhill Properties LLC.
    - 4.1.5 Candace and Dale Gadley expressed concerns regarding the proposed name change of Collins Place to Raintree Lane.
  - 4.2 News Release – Mason County Recycling Workshop. David Baker read a news release announcing that a workshop is scheduled for November 9, 2009 to discuss the Mason County Recycling Program.
  - 4.3 News Release - MCRA & Sandhill Sponsor Program. John Keates read a news release announcing that the Parks Department is seeking sponsors for MCRA & Sandhill Park.
  - 4.4 News Release – Planning Advisory Commission Vacancies. Barbara Adkins read a news release announcing that the Planning Advisory Commission is seeking applicants to fill two vacant positions.
  - 4.5 Announcement of Sheriff's Administration Office Relocation. Sheriff Salisbury announced that the Sheriff's office will be closed on November 4, 2009 to move the front office staff to a new building at 3<sup>rd</sup> and Pine. He also announced that the Sheriff's office has been able to purchase their first K-9 tracking dog thanks to community donations. The Skokomish Tribe also contributed \$12,500.

Cmmr. Ring Erickson commented that making sure that the Sheriff and his staff had an appropriate and professional space has always been a high priority for her. She congratulated the Sheriff on the move to his new location

Cmmr. Sheldon also congratulated the Sheriff on the move and thanked Trevor Severance and Matt Gray for the proposal they submitted to the Skokomish Tribe for funding for the search dog.
5. Open Forum for Citizen Input –
  - 5.1 Brenda Hirschi stated that the County is continuing to spend more than it is taking in. The Auditor's reports show that in September 2005 the County had 3.4 million cash on hand. In September 2009 there was less than a million dollars. At the budget workshop on October 5<sup>th</sup> the citizens were assured they would be given accounting of where the reserve had gone and they have not been given this accounting.

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Between 2005 and 2006 the Current Expense fund budget grew from 26 million to 30 million, then to 31.5 million in 2007. Cash reserve was burned up over the years because leadership was not making tough decisions. The Board of County Commissioners was elected to make these tough choices. The current projections for the 2010 budget call for 23 million in revenue. She is speaking today because she doesn't think the Board is owning up to the continued over expenditure of the budget.

At an October 19<sup>th</sup> briefing staff asked whether the \$38,000 shortfall for Risk Pool insurance premiums should go before the public for the approval of a supplemental increase, or just be taken from the ending fund balance. The Board chose the easy way out. The ending fund balance was reduced without public involvement, however the Sheriff requested \$3,000 for testing, which will be in a public hearing. If the Board is spending the public's tax dollars it should be in an open, fair and consistent way.

She is also asking the Board to prepare an honest and conservative 2010 budget. Union contract increases and settlement costs should be included even if it is just an estimate. Levels of service may need to be reduced to stay within revenue. For more than a year she has watched the County's budget process and reviewed other Washington counties' budget processes. She believes the County has made improvements. Now she is asking that the Board provide the leadership to make decisions to stabilize the County financially.

Cmmr. Sheldon thanked Ms. Hirschi for attending meetings, speaking out and being involved. He appreciates her spending time studying the budget and coming up with conclusions that can be documented.

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 October 12, 2009.

**Cmmr. Ring Erickson/Gallagher moved and seconded to approve the briefing minutes for October 12, 2009. Motion carried unanimously. RE-aye; S-aye; G-aye.**

8. Approval of Consent Agenda:
  - 8.1 Approval of the resolution approving the Gender Equity Policy for the Mason County Parks and Trails Department. **Resolution 93-09 (Exhibit A)**
  - 8.2 Approval to cancel any warrants that are outstanding for more than one year, per RCW 39.56.040. The Mason County Treasurer has submitted a list of warrants to be canceled totaling \$4,848.81. **Resolution 94-09 (Exhibit B)**
  - 8.3 Approval to set a public hearing on Tuesday, December 1, 2009 at 9:30 a.m. to consider the 2008 applications for the Current Use Open Space and Current Use Timberland taxation program.
  - 8.4 Approval for Public Works to select a consultant from the Professional Services Roster and enter into an agreement for hydraulic services for the Coffee Creek project. The consultant will provide a proposed technique that will address fish passage requirements. The estimated value is \$20,000 and is reimbursable by 75% from the Federal Highway Administration. The consultant selection will be announced during a regularly scheduled Commissioner meeting.
  - 8.5 Approval of the resolution setting a budget hearing on Tuesday, November 24, 2009 at 6:30 p.m. to consider the following budget amendments to the 2009 budget for the Current Expense Fund: Clerk - \$2,000 transfer from ending fund balance for postage ; Civil Service - \$1,200 net transfer from Sheriff's Office budget for testing requirements; Sheriff - \$114,614 (\$115,814 - \$1,200) supplemental appropriation for unanticipated grants and Public Health

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Fund - \$42,000 supplemental appropriation for unanticipated H1N1 Pandemic Response Plan grant. **Resolution 95-09 (Exhibit C)**

- 8.6 Approval of the professional services contract between Mason County Public Health and Mason County Public Hospital District No. 1 to provide H1N1 vaccinations to people who are uninsured and do not have the ability to pay. This contract will be paid by the Public Health Emergency Preparedness Response Influenza Grant.
- 8.7 Approval of amendment 0963-65371-01 to the Washington State Department of Social & Health Services contract for the Children with Special Needs Assessments. The eligible funds remain at \$3,600 and is budgeted.
- 8.8 Approval of amendment 18 to the Consolidated Contract C14956 increasing the maximum consideration by \$50,721 to a total of \$1,988,942. The changes are \$51,786 for the Public Health H1N1 Pan Flu Focus, \$500 for the Drinking Water program and (-\$1,565) to the Recreational Shellfish program.
- 8.9 Approval for Public Works to advertise for submittals from interested qualified firms/individuals to provide consulting services for 2010.
- 8.10 Approval of Warrants
- |                      |                          |              |
|----------------------|--------------------------|--------------|
| Claims Clearing Fund | Warrant #s 164687-164754 | \$114,552.78 |
| Salary Clearing Fund | Warrant #s 3018-3049     | \$219,904.85 |
| Direct Deposit Fund  | Deposit #s 16579-16945   | \$573,911.32 |

**Cmmr. Ring Erickson/Gallagher moved and seconded to approve Consent items 8.1 through 8.10. 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 renaming all of Collins Place to Raintree Lane.

Charlie Butros, Public Works Director, stated this proposal is to rename one of the County roads that is currently named Collins Place to Raintree Lane. It is a ¼ mile road near Collins Lake and there has been some confusion because there are roads in the vicinity that have very similar names. The road in question is NE Collins Place and there is a NE Collins Drive E and a NE Collins Lake Drive in the vicinity. The confusion of concern is related to emergency response. He read a portion of a letter from Beau Bakken, Chief of Fire District No. 2, which stated, "Any help in changing names that are similar in name within the county is endorsed and encouraged by Mason County Fire District 2. We believe that such an effort will greatly increase our collective public safety". Additionally, residents of Collins Place submitted a petition with 20 signatures on it. There are currently 20 addresses on Collins Place and Collins Place serves 35 parcels. 20 of the 35 parcels apparently are developed with addresses. Staff's recommendation is to change Collins Place to Raintree Lane to reduce confusion with emergency response due to other like named roads in the area.

Questions for Staff

Cmmr. Sheldon asked how GPS systems would be updated to reflect the name change.

Mr. Butros responded that many mapping services coordinate information through a focal point consultant. Name changes are fed into the system that the mapping services use by a consultant that has that responsibility. Public Works would provide the information to the mapping service and it would be updated during the next regular update.

Cmmr. Ring Erickson asked where the request originated.

Mr. Butros answered that the request originated with a petition.

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Cmmr. Gallagher asked who came up with the recommended name.

Mr. Butros stated the residents that petitioned to change the road name recommended the new name.

Mark Core noted that there is an addressing ordinance regarding the naming of roads. He asked if all of the residents that weren't listed on the petition were given an opportunity to vote. The addressing ordinance has a specific process.

Mr. Butros didn't know. He presumed that the community members who proposed the change went through the process.

Mr. Core asked if the address numbers would remain the same and asked who would provide the new information to the mapping companies.

Mr. Butros answered that the numbers would remain the same and his department would notify the affected parties.

Cmmr. Sheldon asked how many people signed the petition.

Mr. Butros responded that 20 people signed the petition and there are 20 addresses, but there could have been a husband and wife that signed the petition that shared an address. He suspects that 20 signatures is the majority of residents on the street.

Public Testimony

Bev Wendell stated he lives on Collins Place and the name has been a problem for people on the street for a long time. Mail often gets misdirected because there are similar street numbers on the other streets with the same name. One neighbor even got a load of gravel left in their driveway that they did not order. He was one of the people that initiated the petition. Everyone who lives on the street signed the petition, but there are property owners that live elsewhere that he was unable to reach. He did send it out in the mail also. He urged the Board to change the name.

**Cmmr. Gallagher/Ring Erickson moved and seconded to approve the resolution changing all of Collins Place (County Road Number 77060) to Raintree Lane (County Road number 77060) to reduce the multiple name confusion issue. Motion carried unanimously. RE-aye; S-aye; G-aye. Resolution 96-09 (Exhibit D)**

Cmmr. Ring Erickson noted that she was concerned about how well the County followed its own ordinance on selecting the name, but after hearing Mr. Wendell's testimony she is convinced that an adequate effort was made to reach everyone involved.

9.2 Public Hearing to consider adopting zoning for properties previously and incorrectly determined to be part of the Olympic National Forest and amending the Comprehensive Plan's Future Land Use Map.

Barbara Adkins, Department of Community Development Co-Manager, stated this public hearing is to consider adopting zoning that has been in place on an interim basis for several months. When the development areas map was being updated they discovered that there were some parcels that appeared to be Olympic National Forest that were not. The parcels were actually county property, which was confirmed with the National Forest Service. The interim zoning of RR5, RR10 and RR20 was placed on the properties. Now they are asking the Board to adopt that zoning on a permanent basis. There are about 40 property owners and everyone has been notified. The permanent zoning was recommended for approval by the Planning Advisory Commission.

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They are asking that the Board continue the final decision of this issue to December 8, 2009 because this is a revision to the Comprehensive Plan and the Comprehensive Plan can only be updated once per year. Putting all of the hearings for the edits before the Board at one time is overwhelming so the hearings are broken up and then the final decision is done on one day.

Cmmr. Ring Erickson commented that she appreciates the way these hearings have been broken up for consideration. It helps the Board have time to study the technical aspects and it allows people to be prepared to testify.

Questions for Staff

Cmmr. Sheldon noted that a lot of these properties are along the west shore of Lake Cushman and are mainly accessible by boat. He asked if any of the properties are within the Olympic National Park.

Ms. Adkins responded that these properties are not in the park.

An audience member asked if the properties are owned by the County or private owners.

Ms. Adkins answered that the properties are privately owned, but they are in the jurisdiction of the County.

Ken VanBuskirk asked how long these parcels have been assumed to be in National Forest ownership.

Ms. Adkins stated that has been assumed since zoning was established.

Mr. VanBuskirk asked if any of the property owners have asked for action on this.

Ms. Adkins answered no.

An audience member asked how this issue came to light.

Ms. Adkins responded that it came to light when they updated the development areas map.

Ms. Hirschi asked about the property tax implication of the zoning.

Ms. Adkins explained that taxing hasn't changed. This is just correcting a map error.

Public Testimony

Ken VanBuskirk stated this matter came before the Planning Advisory Commission in September and he is very familiar with the property boundaries in this area. He has several lingering concerns about the zoning. Staff did not consider Long Term Commercial Forest as an option for these properties and arbitrarily assigned a rural residential designation based on parcel size. He doesn't think staff consulted with the Forest Service as they should have. He believes residential zoning requires that some sort of infrastructure criteria be met. The area proposed for RR5 requires public roads and the only current access is by boat or seaplane. He believes the properties are landlocked. While the properties may have existing platted lands of 5 acres parcels, the characteristics of the area are one of a Long Term Commercial Forest. One property has been the site of two major wildfires in the last 30 years and warrants careful deliberation. Access for fire and emergency vehicles is very limited to the area. He suggests a more appropriate designation for the properties might be Long Term Commercial Forest.

Cmmr. Sheldon stated that some of these parcels are quite small. He asked how Long Term Forest would work for a very small parcel.

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Mr. VanBuskirk stated those parcels were platted quite a while ago and he doesn't have an answer for that.

Ms. Adkins noted that staff has talked to the Forest Service and their issues have been resolved.

**Cmmr. Ring Erickson/Gallagher moved and seconded to continue the public hearing to December 8, 2009, to accept written testimony until the close of business on December 7, 2009 and to table further consideration on the matter until the December 8, 2009 public hearing. Motion carried unanimously. RE-aye; S-aye; G-aye.**

9.3 Public hearing to consider adopting the Belfair Future Roads Map with text amendments into the Belfair Sub Area Plan.

Barbara Adkins stated this public hearing is to consider adoption of the Belfair Future Roads Map and a text amendment that goes with it. Last year the County received a grant from the Department of Community, Trade and Economic Development for \$25,000 to assist with preparing a Belfair future roads map. Consultants were hired to complete the task and a 6 member committee was established. The map establishes future roadway connections, extensions and access to properties as development occurs in the Belfair UGA. Three access and circulation enhancement areas were also identified and mapped to highlight areas where improvements can be made that would clearly benefit circulation in Belfair that don't depend on the bypass. The map went to the Planning Advisory Commission in June and they recommended adoption as well as a text amendment to the Belfair Sub Area Plan. This is also an amendment to the Comprehensive Plan so staff is recommending the final decision be delayed until December 8, 2009.

Questions for Staff

An audience member asked if property owners in the proposals have been contacted.

Ms. Adkins stated she doesn't know if they were specifically contacted, but there were public meetings and an open house.

Public Testimony

Ken VanBuskirk stated he was involved in the Belfair Sub Area planning group, the future roads committee and he testified to the Planning Commission about the future roads map. The minutes from the June Planning Advisory Commission meeting have not been posted to the website yet and he feels the minutes should be posted in a timely matter for the public to make adequate comments. The committee was made up of businesses, State and County staff and consultants. There were no residents of the UGA. He believes the plan could be improved in a few areas. Major developers were asked their opinions about the future roads, but he thinks individual property owners should be asked as well. He and several other community members feel that critical areas and the critical aquifer recharge area should be displayed on the map. The committee elected not to show the wetlands because a wetland survey hadn't been completed. They didn't want to show critical areas that are not accurate. He believes that the critical areas do exist and should be acknowledged up front in the process.

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He also thinks it is important that the Belfair future roads map be planned in conjunction with Kitsap County because Kitsap's UGA borders the northeast corner of the Belfair UGA. Kitsap County may have future roads planned that are logical for Belfair roads to connect to. The State recently completed the SR-3 corridor study and it was of no surprise that the Belfair bypass was the top priority of the corridor from Shelton to Bremerton. He thinks this plan before the Board today needs to prioritize specific recommended roads. It is his opinion that for the Belfair community to prosper and for these future roads to be successful, the bypass needs to have a high priority in the transportation components of the sub-area plan and the Belfair future roads map. He would like adoption to be delayed until his concerns can be addressed.

Frank Kenny, North Mason Chamber of Commerce, stated he was originally on the committee for the first meeting and then Tim Wing represented the Chamber of Commerce at the remainder of the meetings. He isn't a road engineer, but he thinks it is wonderful that the County is planning for the future Urban Growth Area of Belfair that will be an economic engine for the county. Businesses pay a more than proportional share of taxes in the State, so a larger business tax base lowers property taxes for homeowners. This map is a great first start. The Chamber of Commerce has reiterated their support for three projects in the North End. They support a sewer infrastructure, the widening of State Route 3 and the Belfair Bypass, which he would like renamed as the 35<sup>th</sup> District Safety and Transportation Corridor. When these projects begin there will need to be interconnectivity of roads.

Cmmr. Sheldon commented that the 2008 Transportation budget talks about a public outreach process to identify and respond to community concerns regarding the Belfair Bypass. It states that the Department of Transportation will use this process to consider and develop design alternatives to alter the project's scope so the community's needs are met within the project budget. The department will provide a report on the outcomes of the process to the legislature by June 30, 2010. Everyone will have an opportunity to talk about the bypass and give input to the legislature. This future roads map helps consolidate the effort and bring more to the table about planning and transportation issues in the north end of the county.

Cmmr. Ring Erickson stated this is an important piece of the process. Belfair is an Urban Growth Area and it doesn't have an adjacent city so some of the policy direction the Board gives helps Belfair prepare to be a city. To be a city there needs to be a basis to move people around through businesses and residential districts. Several years ago planning for the Urban Growth Area for Allyn and Belfair was put on the Transportation Improvement Growth Plan so that this work could be carried forward. This is timely and should be running parallel with the sewers.

**Cmmr. Ring Erickson/Gallagher moved and seconded to continue the public hearing to December 8, 2009, to accept written testimony until the close of business on December 7, 2009 and to table further consideration on the matter until the December 8, 2009 public hearing. Motion carried unanimously. RE-aye; S-aye; G-aye.**

9.4 Public hearing to consider the transfer of the Hartstene Pointe Water and Sewer Utilities to the Hartstene Pointe Utility District.

Tom Moore, Deputy Director of Utilities and Waste Management, stated this has been a long process. On March 11, 2008 the Mason County Board of Commissioners approved a resolution submitting to a public vote on May 20, 2008 the question of establishing the ownership and responsibility for the maintenance operation and repair and replacement of the water and sewer systems located at Harstene Pointe to Harstene Pointe Utility District.

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There is an outstanding loan with the Department of Ecology State Revolving Fund for the construction of the wastewater plant outfall. Mason County, the utility district and the Department of Ecology have all agreed to re-assign the loan to the utility district. Documentation of the transfer is currently moving through Ecology's internal process and is not expected to be available until after this hearing, however transfer of the utility assets must take place prior to re-assignment of the loan. It is worked out in the contracts that if the loan transfer doesn't go through, the system would revert back to the County. The reason for that is because the assets of the utility are used to repay the loan. He has been reassured by the Department of Ecology that this is just a formality and it just needs to go through their internal process.

Another item in the agreement is the retention of \$50,000 of the utility's funds to cover expenses accrued prior to the transfer. This is for any outstanding bills that haven't been received. The department continues to make repairs and provide services to the district throughout the transition process and the money will be used to satisfy any encumbrances that are brought forth in the next 90 day period. There are also some little housekeeping items that will get resolved over the next couple of weeks. Staff is recommending that transfer proceed today.

Cmmr. Sheldon congratulated Mr. Moore and the members of the new utility board. There has been a lot of work on this and this is a monumental day.

Questions for Staff

An audience member asked what the loan amount was with the Department of Ecology.

Mr. Moore answered that it was about \$650,000. A couple of payments have been made so the outstanding balance is a little less than that.

Cmmr. Sheldon thanked Ted Sturdevant at the Department of Ecology, who worked very hard to help everyone through this.

Ms. Hirschi asked if the \$50,000 withholding has been factored into the department's 2010 budget.

Mr. Moore answered that he doesn't believe it has been. It was something that was negotiated at the last minute. He will make a note of it.

There was no public testimony.

Cmmr. Ring Erickson commented that this is in her district and she has worked with people in Hartstene for a number of years. Staff has really enjoyed working with everyone out there.

Cmmr. Gallagher congratulated the community on taking ownership of their own system. They are in control of their own destiny now.

Cmmr. Sheldon noted that the County has operated the facility for 32 years and now it is in local control. He believes the County is turning over a good system. He complimented the new utility commissioners on their hard work and on stepping up to take on this responsibility.

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**Cmmr. Ring Erickson/Gallagher moved and seconded to approve the transfer of the Harstene Pointe Water and Sewer Utilities to the Harstene Pointe Utility District and to authorize the Board to sign all pertinent documents associated with the transfer, including the reassignment of the loan with the Department of Ecology for the construction of the wastewater plant outfall to the Utility District. Motion carried unanimously. RE-aye; S-aye; G-aye.**

10. Other Business (Department Heads and Elected Officials) –

10.1 Vicki Kirkpatrick read a news release that answered frequently asked questions regarding the H1N1 flu.

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 10:31 a.m.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

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

ATTEST:

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Lynda Ring Erickson, Commissioner

\_\_\_\_\_  
Shannon Goudy, Clerk of the Board

\_\_\_\_\_  
Ross Gallagher, Commissioner