

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

January 12, 2010

1. Call to Order – The Chairperson called the regular meeting to order at 9:00 a.m.
2. Pledge of Allegiance – Brenda Hirschi 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 Wave Broadband announced that they will be adjusting their rates in February 2010.
    - 4.1.2 The Timberland Regional Library Board of Trustees sent their 2010 budget and levy rates.
    - 4.1.3 The League of Women Voters of Mason County submitted a list of New Year's resolutions for the Commissioners and citizens.
    - 4.1.4 The Washington State Department of Fish and Wildlife offered assistance in achieving a proactive response to imminent flooding.
    - 4.1.5 The Washington State Department of Community, Trade, and Economic Development will issue a statement of final closure for the Community Development Block Grant used for construction of a domestic violence shelter after they receive a complete audit report for 2009.
    - 4.1.6 The Pacific Mountain Workforce Development Council reaffirmed their commitment to a more efficient administrative structure in the region.
    - 4.1.7 Ken VanBuskirk submitted comments regarding the Lodging Tax Advisory Committee.

Cmmr. Gallagher announced the passing Dennis Rohn and called for a moment of silence in his honor.
  - 4.2 Staff Awards for Sheriff's Office. Sheriff Salisbury presented the Meritorious Service Award to Deputy Ken Potts and the Distinguished Service Medal to Deputy Chris Mondry.
  - 4.3 Charlie Butros announced that Public Works has selected the following consultants for stormwater design work: AHBL, Inc of Tacoma for a maximum payable of \$12,000 and Preferred Engineering, LCC of Federal Way for a maximum payable of \$13,000.
5. Open Forum for Citizen Input –
  - 5.1 Eric Blegen, Deputy Director of Harmony Hill Retreat Center, requested a reconsideration of their recent Lodging Tax application. It was rejected due to the misperception that Harmony Hill isn't open to the public. It is open to the public almost every day of the year, except for 48 days when they do cancer retreats. The rest of the year they conduct wellness programs and they rent their facilities to different groups. In 2009 they brought in 5,500 people who were mostly from outside of Mason County. Those people had a substantial impact on Mason County tourism revenue. The application was specifically for the Summerfest program, which is in August every year. The program has taken place for almost 15 years.
  - 5.2 Brenda Hirschi stated she had two goals when she started studying the Mason County budget. One was to understand the budget herself and the second was to help other people understand the budgeting process so more citizens would become involved in local government. She believes citizens have a responsibility to make an effort to be informed, as they are the key stakeholders in public policy. She fundamentally believes that all revenue passing through the Treasurer's office is the public's money. After watching the budget development process through two years she has come to the conclusion that the legislative authority doesn't want the public to be involved and able

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**January 12, 2010 - PAGE 2**

to understand what is happening with their money. If a private citizen with decades of experience and education in budgeting works as if it is a full time job to follow the County's budget and cannot keep up, how can an individual with a job and a family ever have hope of understanding how their money is being spent.

She has examples of why she is losing faith that the legislative body is working in an open and fair manner and in the interest of all citizens. Between December 7<sup>th</sup> and December 8<sup>th</sup> the Board changed the budgeted amount for REET 1 and the Rural Sales and Use Tax funds. These changes were never shared with the public. On December 7<sup>th</sup> the Auditor's office provided a spreadsheet with summary changes from the November 21<sup>st</sup> budget. That was the last change the public was given. What was really approved was posted on the website one day. Complete detail of what was approved for 2010 won't be provided until the end of January. The Rural Sales and Use tax was increased by \$400,000 and the REET 1 fund was increased by \$350,000. Overall, special funds were increased by a net of \$909,000. All of the changes might be justifiable, but there was no effort to keep the citizens informed.

Her second item of concern is that when she shared her independent research of the Lodging Tax Advisory Committee with the Board she was stunned with Commissioner Sheldon's response. He clearly didn't share her basic concerns that the current LTAC process gives the appearance of a conflict of interest by some members, and that clear criteria need to be used to evaluate grant applicants. After yesterday's briefings she expects that the Board has no intention of leveling the playing field.

Also at yesterday's briefing the Board and the briefer each had copies of a draft contract from the City and she was told she couldn't have a copy. The information in the document should be open if discussed in a briefing open to the public. She will not give up, but today she understands better how hard the citizens will need to work to level the playing field in Mason County. The citizens deserve no less.

Cmmr. Sheldon responded that he was Chair for two years and he made every effort to involve the public. Some of these meetings have even turned into town hall meetings instead of business meetings, but he has tried very hard to listen and given everyone a chance for input. He thinks the Board has been open and fair. Nothing has been done by the Board that is underhanded as insinuated. There has been a lot more effort to keep the public informed than there has been in the past. He doesn't always agree with Ms. Hirschi but that's the way life is. There are opinions of the way things are done. For example, the City, Port and PUD are in serious negotiations for a water line extension. That water line extension will facilitate a potential 200 million dollar investment by a corporation that could employ hundreds of people. That agreement was shared with the Board and it isn't something that should be taken lightly and shared with the public. It is a draft agreement they probably are working on in executive session. It isn't the Board's place to open things up under every circumstance. There are things the Board has to work on as a Commission. It is in the County's best interest not to release a draft document that was shared in good faith.

- 5.3 Michelle Bell spoke on behalf of the League of Women Voters. A letter from the League was mentioned in the correspondence portion and she would like to reiterate what was discussed in it. They proposed New Year's resolutions for the Commissioners and the public. They would like the Commissioners to resolve to announce all meetings in advance and note agenda changes in a timely way on the website so citizens can be aware of the topics they are interested in. They would like to see all meetings attended by two or more of the Board recorded. There have been a lot of important discussions recently that weren't recorded. They would like to see a rationale for decisions and for the Board to share with the public the options considered in making decisions. They want the Board to

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**January 12, 2010 - PAGE 3**

work together as a team in the best interest of the County and to establish a standard of ethics and code of conduct for all elected officials and employees. They would like the Board to construct a reasonable and balanced budget that sets aside adequate funds for emergencies. They also encourage citizens to resolve to register to vote, evaluate the candidates and their qualifications, and to vote on Election Day. To inform themselves about the workings of the County government and to educate themselves in the needs of other citizens. To show support for officials elected by the majority of voters through active and courteous participation, to provide tax dollars to fund services and then have a say in how the tax dollars are spent.

Cmmr. Gallagher commented that the Board would begin recording briefings. The only recording equipment available is in the Commission Chambers so that is where briefings will be held from now on. The recordings will be on a CD and there will be a cost if someone wants a copy.

- 5.4 Annette McGee commended the Board on recording their briefing sessions. She believes there is an appearance of a conflict of interest on the Lodging Tax Advisory Committee. There is nothing wrong with the members serving on the committee, but they could recuse themselves when funds are being allocated to their organization. Just like a Board member of the Economic Development Council who pays dues has a conflict of interest. If there is a difference of \$909,000 in REET taxes from the time that the budget was adopted on December 7<sup>th</sup>, she would like an explanation of when the change was made. She was also at the briefing session yesterday. The Auditor's gave the Commissioners a long report on their financial status and they asked the Board how the publishing was to be funded. This needs to be addressed.

- 5.5 Terri Jeffreys, Shelton Mason County Chamber, provided a report of what the Chamber has done with the Lodging Tax funds they received for visitor information services. Visitor information services are expected by the traveling public and they provide that service, as well as other vital services for tourism promotion. They are the central information hub for visitors who want more information about the festivals that are funded by these grants. They provide personal, courteous and expert information to the visitors. They have 3 visitor information centers and it is a partnership with the County. They also receive grant funds from the City of Shelton, National Park Service and the US Forest Service. They have nearly 30 volunteers. The 3 high traffic locations are open 7 days a week. The downtown Shelton locations fielded 1,800 phone calls in 2009. Hoodspout fielded 2,000 phone calls. The downtown location served 12,000 walk in visitors and the Hoodspout VIC served 17,000 walk in visitors. The number is probably over 30,000 because record keeping can be difficult on the weekends. In addition, the Hoodspout VIC sold 1,824 park passes, forest service maps and Christmas tree cutting permits. This partnership is a brick and mortar brochure. People want to talk to real people. The process that is set up for visitor information services is a contracted service that is very different than the Lodging Tax contributions towards festivals and other one time events. They should be reviewed separately and under separate criteria. Perhaps they should go through a request for proposal. The tourism related facility allowance in the RCW set to expire in 2012. There should be some discussion about what visitor information services do and they should possibly be considered separately under contract along with the general tourism services of the Joint Tourism Board.

Cmmr. Gallagher commented that he doesn't believe that the County needs to be in the tourist business. The County can't afford to maintain websites. Both of the Chambers have provided this service for the County. He commends both Chambers for fulfilling that duty.

Cmmr. Ring Erickson asked how much money the Chamber receives from the City.

Ms. Jeffreys answered that they receive \$15,000 specifically for the City of Shelton services.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**January 12, 2010 - PAGE 4**

- 5.6 Matthew Blegen, General Director for the Anna's Bay Center for Music and the President of the Union Tourism Association, also asked that his application be reevaluated for L-Tax funding. According to the public record, his application was turned down for personal reasons. He was surprised to find out that the Committee doesn't read the reimbursement requests to find out how the funds are used and what the results were. The County told him they have never been requested by the Committee. He doesn't know how anyone could evaluate the job that the recipients are doing without looking at the reimbursement packages. The funds have to be raised by the grant recipient first and then reimbursed. There is no way for those on the receiving end not to follow up with what they said was going to be done in their original application. They can provide documentation about where their ticket purchases are coming from to show they are bringing people in from outside of the county. There are also several business owners that will testify as to how the Anna's Bay events effect their businesses. The Union Tourism Association efforts have already branded Union as a wonderful cultural tourism destination. Union was named as one of the 20 prettiest towns in America by Forbes Traveler magazine. They have a great partnership with the State and there are a lot of exciting tourism related things happening in Union.
- 5.7 Ken Wilson stated he is a member of the Lodging Tax Advisory Committee and he would to talk about the committee from a member standpoint. There has been a lack of education. This isn't general fund money for roads or schools. It has to be spent for tourism. There are criteria for how the money is awarded. The first and primary purpose is heads and beds. The Commissioners have told the Committee repeatedly that if money is spent for tourism, people need to be brought into the county. The second criterion is when the event is being calendared. There are already a lot of people here in August. They are looking for events outside of the main season. They are also looking for groups that market out of the county. Local groups that just bring in their neighbors don't help. The money should be invested in groups that are reaching outside of the county to bring new money in. They need budget driven documentation. They want to see the return on the investment over several years. They want to see marketing materials and they want to know if the event has been successful. If the event is losing 1,000 people each year it is not successful. The limited amount of money that Lodging Tax has needs to be put in the right places. This isn't entirely subjective. There used to be County Commissioners that attended as Chair. That changed because there could be favoritism to certain projects. A County representative stepped in as Chair so the Commissioners would be presented the information all at the same time. This year a few things happened that shouldn't have happened. The minutes went out and they were erroneous. The Committee didn't have a chance to see them before they were released. The reasoning listed for the denials were not the reasons they were denied. There were also decisions made where members should have recused themselves. They have always recused themselves in the past. The votes would have still passed the applications.
- 5.8 Frank Kenny, North Mason Chamber of Commerce, stated it was his mistake that he didn't recuse himself. This is a small community and he on several Boards of Directors. If he recused himself from everything he was involved in he would always be recusing himself. It was his mistake and it can be sent back for a revote. He would also like to run through some of the tourism projects the North Mason Chamber has done over the last few years. The first thing they jumped into was an interactive website for tourism. They used Mason County talent whenever possible and took bids for hosting and design creation. That website is still up and running and it has always been a technically savvy website. In the past year they did a core system update and they are now a leading county tourism website. They also did a brochure for the area for the ferry systems. 50,000 were printed for every hotel/motel and ferry system. They created a restaurant guide for the county this year and created a countywide visitor guide. They also created the first ever county recreation map. Lots of projects have been done over the years through joint tourism. They are now working on a winery

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**January 12, 2010 - PAGE 5**

promotion. They get over 100,000 visitors to the website each year. They are doing as much as they can to fill up the rooms at Mason County.

- 6 Adoption of Agenda - **Cmmr. Ring Erickson/Sheldon moved and seconded to adopt the agenda as published. Motion carried unanimously. RE-aye; S-aye; G-aye.**
- 7 Approval of Minutes – December 28, 2009 briefing minutes; December 15 and 22, 2009 and January 5, 2010 regular meeting minutes, December 29 special meeting minutes.

**Cmmr. Sheldon/Ring Erickson moved and seconded to approve the December 28, 2009 briefing minutes; December 15 and 22, 2009 and January 5, 2010 regular meeting minutes, December 29 special meeting minutes. Motion carried unanimously. RE-aye; S-aye; G-aye.**

- 8 Approval of Consent Agenda:
  - 8.1 Approval of Veterans Assistance Fund applications for: Dale Carrell – Utilities \$327.23; Francis J. Diamantine – Food \$200.00; Rodney Gorm – Housing \$600.00; Cheryl Gurley – Housing \$600.00; Eugene Lescher – Utilities \$600.00; Roy (Rose) Oster – Utilities \$600.00; Chip Proctor – Utilities \$600.00; Robert Ramar – Utilities \$223.50; Mark Richardson – Housing \$600.00; Charles Robson – Housing \$600.00; Robert Weaver – Housing \$600.00; Michael Weeks – Food \$125.00 & Utilities \$475.00 for a total of \$6,150.73.
  - ~~8.2 Approval to set a public hearing on Tuesday, February 9, 2010 at 9:30 a.m. to review the submitted request by the Port of Grapeview to rezone one parcel (1.74 ac.) located at Grapeview Loop Rd. and Okonek Rd. within the Grapeview Hamlet [rezone from Rural Residential 5 to Rural Commercial 3 zone]. REMOVED~~
  - 8.3 Approval of Warrants  
Claims Clearing Fund                      Warrant #s 168272-168275                      \$119,067.06
  - 8.4 Approval for the Chair to sign the Memorandum of Agreement between the Washington State University Extension and Mason County in the amount of \$158,223 for 2010 to provide an extension program.

An audience member asked if it is necessary to list the names of the recipients in item 8.1.

Cmmr. Ring Erickson responded that the Board has inquired about that and it is necessary. She also commented that the fund is beginning to run short of money. The veterans' needs are much higher in these tough economic times. She hopes that at some point there can be a thoughtful discussion on the continued funding of this. This could be a looming problem.

Cmmr. Sheldon noted that there was only one application on the agenda last week because it was the end of the budget year. As the 2010 budget begins there will be many more. There won't be enough money to sustain the fund throughout the year. He complimented the Veteran's Screening Committee for the work they do for these veterans. Also, although the names are listed on the agenda, the newspaper does not report the names, which he appreciates.

Cmmr. Gallagher commented that the majority of these funds come from property tax and the fund will be renewed in April. In 2008 the balance got really low and a lot of requests were cut back. This year the balance is pretty stable to sustain until April. It is something that will need to be looked at in the future.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**January 12, 2010 - PAGE 6**

**Cmmr. Sheldon/Ring Erickson moved and seconded to approve Consent items 8.1 through 8.4, with the exception of item 8.2, which was removed. 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 revisions to Appendix C of the Mason County Comprehensive Plan Chapter VI (Capital Facilities).

Barbara Adkins, Department of Community Development, stated this is the second hearing for the adoption of the Capital Facilities portion of the Mason County Comprehensive Plan. The first hearing was on December 8<sup>th</sup> and at that time it was recognized that an updated document for Appendix C was missing. The Growth Management Act requires that budgets are shown in the Capital Facilities Plan for projects throughout the year and it also require that the funding sources are shown. That is what is being submitted today. She didn't have the numbers in time for the original deadline. This chapter can only be updated once per year, unless it relates to budget. To meet the end of year deadline it was adopted as it was. Now she is coming back to update the portion effected by the budget. While her department is the keeper of the document and coordinates the information that goes in to, she is not responsible for all of the information in the document. The spreadsheets were furnished by Central Operations and they were updated with information received from several different departments. She cannot answer questions specifically about the numbers. It is her understanding that these numbers reflect things already adopted as part of the budget.

Question for Staff

Ms. Hirschi asked if there were no changes to the document besides Appendix C.

Ms. Adkins stated that is correct.

Ms. Hirschi asked if the Public Works campus portion would continue to be left blank.

Ms. Adkins replied that she could only amend the budget at this hearing. Any other items that need to be updated can be done at the end of the year.

Ms. Hirschi asked when the changes were made to REET 1 and Rural Sales and Use Tax.

Cmmr. Gallagher stated he couldn't answer that. Staff should have the information.

Ms. McGee asked why the Commissioners signed a document making these changes a day after the budget hearing. She would like to know why it was signed.

Cmmr. Gallagher replied that there were a lot of Current Expense change documents.

Cmmr. Sheldon added that the Board needs more specifics. This is a general conversation about a document that isn't here. If the Board can look at the document they can explain it.

Cmmr. Ring Erickson noted there were changes in revenue estimates. She suspects that there were at least 100 of those changes over the course of several months.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**January 12, 2010 - PAGE 7**

Ms. Hirschi stated that the November 21<sup>st</sup> budget document showed one thing and the December 7<sup>th</sup> hearing spreadsheet showed changes. Recently the website showed another document that was \$900,000 higher. She would like to know the process for making these decisions.

Cmmr. Gallagher asked Theresia Ehrich to explain where the changes came from.

Ms. Ehrich explained that any changes made to the budget are signed by the Commissioners. The REET changes were signed on December 8<sup>th</sup> by all three Commissioners. The \$350,000 change on the REET fund was to adjusted the fund to what would really be on hand at the end of the year. It is the same thing with some of the other special funds. The Rural Sales and Use tax was changed because the Hoodspport sewer system shouldn't be part of that budget.

Cmmr. Ring Erickson added that the Tribe was taking over the lead role on the Hoodspport sewer project.

Ms. Hirschi stated she would like to know what makes up the \$400,000 difference. The Hoodspport sewer doesn't account for all of it.

Ms. Ehrich explained that the remainder was cash on hand. The cash on hand that was projected for the fund was off by \$400,000. December 7<sup>th</sup> was the hearing and the budget was adopted on December 8<sup>th</sup>. The changes were listed with the reasons and signed by the Commissioners.

Public Testimony

Ms. Hirschi stated she had three issues with this documents as she reviewed it. The budget change was one issue and that has been satisfied. She would like to know when the Board was briefed on what was to go into Appendix C.

Cmmr. Ring Erickson replied that these projects were scheduled for briefings throughout the year.

Ms. Hirschi stated she also has an issue with the fact that this information wasn't included in the detail budget that was provided to the public on November 21<sup>st</sup>. If the Board knew about these changes they should be included in the November 21<sup>st</sup> document.

Cmmr. Gallagher replied that there is a Parks Plan that goes over several years. Some projects are held off when there aren't enough funds. There is a timeline for the projects to be fully developed.

Cmmr. Ring Erickson added that these items have been approved by the Commission and discussed in public through other forums such as the Parks Plan and the CEDS list. There are two other documents and policy discussions regarding this information. The Board thought it was pretty well clarified.

Cmmr. Sheldon called for a point of order. He noted that this is a public hearing and the question period has concluded. It is not an interactive process at this point. The Board must follow a prescribed process for a public hearing and this portion is for those that want to testify on the record.

Ms. Hirschi continued with her testimony. She is concerned that the numbers between Appendix C and the website still don't agree. She is baffled by this process.

Theresia Ehrich, Chief Accountant for the Auditor, stated that what is on the website and what will be published at the end of the month is approved by the Commission. There are going to be changes that the Commissioners will make throughout the year if the funds are available or allocations are made and then the budget will need to be adjusted. When the budget is adjusted the ending and beginning fund balances give the Commission the latitude to make those adjustments. Anything for the 2010 budget

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**January 12, 2010 - PAGE 8**

from now on will need formal action from the Commission. The budget that will be published at the end of the month will be what was adopted on December 8<sup>th</sup>. December 7<sup>th</sup> was the preliminary budget hearing and there were changes that were signed before the budget was adopted on December 8<sup>th</sup>. She just wanted to clarify the issue.

Emmett Dobe, Utilities and Waste Management Director, added that the Capital Facilities Plan is in two parts. The Plan itself identifies the projects. The second part is the budget that funds the project. That is what is being discussed today. There may be projects that have been approved in the past and then the actual numbers get placed in the budget. The Capital Facilities Plan contains six years worth of projects, with a description, a plan and a preliminary budget. During the year that the project is ready to be funded the actual numbers will be in the budget. For example, the Hoodspout project was approved four years ago and placed in the budget. This year there was 1.4 million dollars appropriated for the project and all of that money was given to the Tribe to appropriate so it was taken out of the Capital Facilities Plan. Now there is no appropriation for Hoodspout. You cannot just use the budget to understand the Capital Facilities Plan. You need both to understand what the projects are and where they came from.

**Cmmr. Sheldon/Ring Erickson moved and seconded to adopt the revisions to Appendix C of the Mason County Comprehensive Plan Chapter VI, Capital Facilities. Motion carried unanimously. RE-aye; S-aye; G-aye. Ordinance No. 03-10 (Exhibit A)**

10 Other Business (Department Heads and Elected Officials) –

10.1 Discussion of the Lodging Tax Advisory Committee, potential revisions to the process and a potential news release soliciting a representative of a business that collects the lodging tax.

**Cmmr. Ring Erickson/Sheldon moved and seconded to issue a news release to solicit a representative of a business that collects lodging tax for the Lodging Tax Advisory Committee. Motion carried unanimously. RE-aye; S-aye; G-aye.**

Cmmr. Sheldon commented that the Chambers have done well in attracting tourists to the county. The Board has also worked hard to have knowledgeable business people on this committee. Everyone needs to educate themselves on what the LTAC does and does not do. He would like to move forward on this without a lapse.

Cmmr. Ring Erickson agreed with Commissioner Sheldon. The Board has come up with something that works for the county. In mid 2006 there was a decision that all three Commissioners would co-chair the LTAC and have staff facilitate. It would be okay to revisit that and see if there are any changes to consider.

Cmmr. Sheldon noted that it is clear that an elected official needs to be the chair of the committee. There will need to be some revisions, but it needs to be done in a calm way. Even though sales tax is dropping, lodging tax has increased. People are coming into the county because of this tourism effort.

Cmmr. Gallagher read the press release that was approved and added that he had three goals that he wanted to accomplish. He would like to approve the funding requests, advertise for a generator and also settle who will be chair of the committee. In 2006 the Commissioners passed a resolution stating that a Mason County Commissioner will chair the LTAC. However, RCW 67.28.1817 states that it can be any County elected official. He would like to have a discussion on who would be chair.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**January 12, 2010 - PAGE 9**

**Cmmr. Ring Erickson/Sheldon moved and seconded to elect Commissioner Gallagher as an interim Chair for the Lodging Tax Advisory Committee. Motion carried unanimously. RE-aye; S-aye; G-aye.**

Cmmr. Gallagher asked if the Board would consider approving the funding requests.

Cmmr. Ring Erickson stated she would like to review the documentation again before making a decision. There was some concern that there wasn't an accurate reflection of the comments made by the committee.

Cmmr. Sheldon commented that it might be appropriate for the LTAC to meet again to discuss the issue so the Board can make a determination.

Matthew Blegen commented that Harmony Hill and Anna's Bay had submitted complete applications. They are concerned that there is a public record that casts doubts on their merit for funding. He would like to know if there is a remedy for correcting that record.

Ken Wilson clarified that minutes are correct. The summary worksheet has the errors.

Cmmr. Ring Erickson noted documents shouldn't be released in the future until they are approved by the committee.

10.2 John Keates, Parks Director, thanked Pickering Marine and Bucky Manke. They volunteered to regrade the parking lot at Latimer's Landing. Bucky Manke donated the haul time to bring over the materials.

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 11:02 a.m.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

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Ross Gallagher, Chair

ATTEST:

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Lynda Ring Erickson, Commissioner

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Shannon Goudy, Clerk of the Board

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Tim Sheldon, Commissioner