

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

June 1, 2010

1. Call to Order – The Chairperson called the regular meeting to order at 9:01 a.m.
2. Pledge of Allegiance – Stephen Hardy led the flag salute.
3. Roll Call – Present: Commissioner District 2 – Tim Sheldon; Commissioner District 3 – Ross Gallagher.
Absent: Commissioner District 1 - Lynda Ring Erickson.
4. Correspondence and Organizational Business
 - 4.1 Correspondence
 - 4.1.1 The Mason County Association of Realtors expressed support of the proposed Ridge Motorsports Park.
 - 4.1.2 The Kittitas County Board of Commissioners is seeking assistance in opposing the Department of Ecology's moratorium on new groundwater withdrawals in Eastern Washington.
 - 4.1.3 The Squaxin Island Tribe sent their 2009 Annual Report.
 - 4.1.4 The Washington State Liquor Control Board sent notice of a special occasion liquor license application for Capitol Classics Soccer Association.
 - 4.1.5 The Washington State Department of Archaeology and Historic Preservation announced that Schafer State Park has been listed in the National Register of Historic Places. (Michael MacSems read the letter aloud.)
 - 4.2 Timberland Regional Library annual report. Michael Crose, Interim Executive Director of the Timberland Regional Library, provided a report on the Library District's operations over the last year.
 - 4.3 News Release - Surplus Property Sale. Catherine Bennett, Public Works, read the news release announcing that Mason County will be soliciting bids for purchase of surplus property with a bid opening to take place on September 2, 2010.
5. Open Forum for Citizen Input –
 - 5.1 Ralph Wingert commented that he noticed something on KMAS regarding a salary increase for the Commissioners. He asked how many people were fired last year and how the Commissioners' salaries are set.

Cmmr. Sheldon replied that budget issues are the top priority for the Board. Action was taken at the last meeting to freeze the salary for the District 3 Commissioner. The action had to be taken before the filing period for the position. The salary issue will continue to be discussed, but the Commissioners' salaries were not increased.

Cmmr. Gallagher added that no people were laid off this year. 62 people were laid off in 2009.
 - 5.2 Mo MacCracken, Mason County 4-H, announced that the Mason Area Fair will be hosted at the Port of Shelton fairgrounds property July 23rd through July 25th. The Mason Area Fair is a continuation of a century old, countywide tradition. The fair serves to entertain, educate and bring the community together and it also has an immense economical, social and cultural impact. She noted that the Fair would be applying for lodging tax funds as allowed by law. The Department of Agriculture requires that Area Fairs are organized and promoted to serve an area larger than one county. They will be requesting funds to advertise beyond the Mason County area. They have hired Northwest Event Organizers to assume financial responsibility for the operation of the Fair and the rental of the facilities. It will be new and exciting and she encourages everyone to attend to show public support.

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Cmmr. Gallagher asked if there would be an admission charge.

Ms. MacCracken replied that there would be a \$5 admission for adults and it will be free for children 16 and under.

Rachel Hansen added that her husband and herself will be forming a corporation to rent the fairgrounds from the Port of Shelton. They will handle the organization of the Fair in a similar process as the County did. They will be subleasing to the Rodeo and the Carnival. The admission charge is \$5 per adult but people and businesses who sponsor the fair will receive a 2 for 1 pass. They really need entries for the Fair or the Department of Agriculture will strike it from their fair docket.

5.3 Annette McGee asked how long the recordings of the Commission meetings were kept.

Cmmr. Gallagher thought they were kept forever.

McGee asked who the lead agency is for ADAGE coming into the county.

Cmmr. Gallagher replied that the County is the lead agency for the SEPA permit.

Cmmr. Sheldon added that an application from the company hasn't been received yet. He thanked KMAS for putting on an informational forum on the topic. He heard one of the individuals from the company say they would be turning in an application in mid June at that forum.

McGee asked if Commissioner Gallagher knew the amount of state tax credits that would be given to the company if they come into the county.

Cmmr. Gallagher wasn't sure.

Cmmr. Sheldon replied that there were no B & O tax credits for the company, but he believes that there is a sales tax credit for the plant and equipment. The State doesn't write the company a check. The company just doesn't have to pay that portion of sales tax to the State.

Ms. McGee asked if Commissioner Sheldon knew how much money that would be.

Cmmr. Sheldon replied that it would be a percentage of the value of the building and equipment, which is estimated to be about \$250 million dollars.

Ms. McGee asked if the Board knew of any Federal grants that the company will receive.

Cmmr. Gallagher stated that there would be a 16 million dollar grant initially. They don't just turn a shovel to get 16 million, they would have to build the plant and run it for two years before they qualify. They might not qualify for the program because there is a December 31st deadline. The company has stated they would proceed whether they qualify or not.

Ms. McGee asked how much more in grants the company would receive after the initial grant.

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Cmmr. Sheldon thought it was odd to speculate. He explained that these are Federal programs for renewable energy. The Commissioners are not part of the Federal government, they don't have any control over these programs and they don't educate on themselves on all of these programs. These would be good questions for Senator Murray or Senator Cantwell. It is a complicated issue that the County doesn't have any control over.

Ms. McGee stated the reason she is asking these questions is because the taxpayers are giving money to these programs.

Cmmr. Sheldon didn't know the specifics of how the Federal tax dollars are spent and he didn't believe it had a great bearing on the issue.

- 5.4 Brenda Hirschi stated she heard the resolution read last week regarding the Commissioners' salaries with one line taken out. She wanted to know if what was done last week only froze Commissioner Gallagher's salary and Commissioner District 1 and 2's salaries weren't increased.

Cmmr. Sheldon responded that was correct.

Ms. Hirschi thought the consent agenda item was twisted in the way it was worded and the people in the room at the time couldn't even understand was even going on. She also noted that Commissioner Sheldon recognized KMAS for holding a meeting about ADAGE, but there were also other meetings that were held that were even better attended. There are other elements of the community who are moving to understand what the implications of bringing ADAGE to the county are. The citizens want to understand because it is their tax dollars. There was a meeting attended by 350 people who were seeking to learn what this means. There was another meeting with about 100 people in attendance. The Board may say that it is too early and they don't understand but people want to understand.

Cmmr. Gallagher noted that he did attend one of the meetings Ms. Hirschi discussed. At that meeting he made a statement that there will be a Department of Health forum when a permit is received. The Health Director and Health Officer will be there to answer the health implications of ADAGE. The Board will proceed when there is a permit application.

- 5.5 Theresa Jacobson commented that she was present on April 27th for a Department of Health meeting. She stated at that meeting that the Department of Health was negligent in her neighborhood for over 10 years. Two weeks later she was handed a convoluted document that explained why the Department of Health had been negligent on the issue in her neighborhood. A nationally recognized medical expert offered testimony at the April 27th Department of Health meeting. He tried to offer his testimony as to the health impacts of biomass incineration. It is her opinion that two of the Commissioners ignored his testimony and the third Commissioner talked over his testimony. She raises this issue because she doesn't believe that the Department of Health is serving the citizens.

6. Adoption of Agenda - **Cmmr. Sheldon/Gallagher moved and seconded to adopt the agenda as published. Motion carried unanimously. RE-absent; S-aye; G-aye.**

7. Approval of Minutes – May 17, 2010 briefing minutes and May 25, 2010 special meeting minutes.

Cmmr. Sheldon/Gallagher moved and seconded to approve the May 17, 2010 briefing minutes and May 25, 2010 special meeting minutes. Motion carried unanimously. RE-absent; S-aye; G-aye.

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8. Approval of Consent Agenda:

- 8.1 Approval of a twelve-month Functional Family Therapy professional services contract between Mason County Juvenile Court Probation Services and Kerri Duke, Licensed Social Worker and certified Functional Family Therapist. The contract is for the period of July 1, 2010 through June 30, 2011 and is funded from Washington State for Evidence-Based Practices. Compensation will not exceed \$2,500 per family.
- 8.2 Approval to award a contract to Archaeological Services of Clark County for completion of a Cultural Resources Survey for the Mason Lake Boat Launch Renovation. Contract amount is \$2,530.00 and the funding source for this project is from the Washington State Boating Facilities Program Grant and REET II Funds.
- 8.3 Approval to reappoint Sue LaMont to the Thurston/Mason Chemical Dependency Action Committee for a three-year term ending April 30, 2013.
- 8.4 Approval of the Veterans Assistance Fund application for Kathleen McClanahan – Housing \$600.00 as recommended by the Veterans Assistance Fund Screening Committee.
- 8.5 Approval to sign the Deed to Transfer Rendsland Creek Property from the Washington State Department of Natural Resources to Mason County Parks and Trails. Funding for purchase and transfer of the property is provided from the Washington State Legislature in the amount of \$81,000.
- 8.6 Approval for the Equipment Rental & Revolving Fund Manager to utilize the Post-for-Quotes/Telephone Bid Procedures to purchase 27 Icom UHF and VHF radios for the Sheriff's Office. Approximate cost is \$35,000 plus tax and is grant funded.
- 8.7 Approval for the Equipment Rental & Revolving Manager to purchase thirty six Motorola Digital mobile radio systems for police vehicles on a sole source basis from the Western States Contracting Alliance Public Safety Communication Equipment contract. Approximate cost is \$61,000.00 plus tax and is grant funded.
- 8.8 Approval for the Chairperson to sign the contract for the purchase of a Cost Accounting and Project Management System from Cascade Software Systems of Eugene, OR for Public Works. Cost is \$92,972.00 plus tax and is funded in the Public Works budget.
- 8.9 Approval of a professional services contract with Associated Environmental Group, of Olympia, Washington, to provide consulting services in the identification and removal of contaminated soil discovered during the construction of the Belfair Wastewater Reclamation Project. The cost for the consultant's work, which includes soil testing and the development of the action plan is \$53,000. Additional cost for trucking and disposal of the contaminated dirt is estimated to be \$50,000.
- 8.10 Approval of the contract amendment between Washington State Department of Social and Health Services and Mason County for Juvenile Accountability Block Grant (JABG) funds to support Aggression Replacement Training. This is for the period of July 1, 2010 to June 30, 2011. Mason County will receive \$11,200 with a county match of \$1,244 that is budgeted.
- 8.11 Approval of the agreement with Clark County Public Health for \$41,500 in funding to continue Mason County's HIV Case Management efforts. This is budgeted in the 2010 budget.

Ray Hanson had a question on item 8.5

Ms. Hirschi had questions on items 8.8 and 8.9

Item 8.5

Mr. Hanson asked how many acres are involved in the property.

John Keates answered 7 acres.

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Item 8.8

Ms. Hirschi asked where this was funded in the Public Works budget.

It was pointed out on a spreadsheet.

Mary Jean Hrbacek stated that she is the finance manager for the Mason County Sheriff's office. She has been on staff at the Sheriff's office for 3 years. When she arrived at the Sheriff's office the pay was calculated manually for 90 employees. Payroll was a laborious effort that was fraught with errors. A good portion has now been automated to Excel spreadsheets. She was told the department had \$6,000 to automate the system further. She found a company that was able to provide them with a timecard system. The system still doesn't do everything they'd like it to do. Everyone else in the County, with the exception of Public Works, is still creating manual timesheets that are entered manually in the payroll system. She found out that the \$150,000 in the Public Works budget for this is in the other improvement fund. She doesn't have a problem with Public Works getting a new cost accounting system or payroll system. She has a problem with the fact that these are County tax dollars not Public Works tax dollars. If they can benefit all of the County they should. They are at point where they can now supply computer spreadsheets to the Auditor's office, but they still have to enter it all manually. She is also concerned that there never has been a finance manager meeting which she finds frustrating. She thinks the failure to coordinate purchases for the benefit and use of departments and elected officials is a weakness in the purchasing process of the County. The issue with this item is that it is only for Public Works.

Item 8.9

Ms. Hirschi asked what is the \$53,000 paying for.

Emmett Dobey explained that the consultant will do the initial sampling to determine the levels and kinds of contaminated soils. They will be onsite every day to monitor material as it comes out of the ground and to monitor the trench to make sure toxic fumes don't build up so it is safe for the workers. He then monitors the material when it taken to waste management in Kitsap County to see if it can be treated there or if it needs to be taken to Eastern Washington for disposal. It is a complicated process. He believes it is grant eligible. They selected the consultant because they are working on another contaminated soil area adjacent to Mason County's site. He believes they could piggyback on the litigation that is already ongoing at that site to recover the costs.

Cmmr. Sheldon noted that the advantage of having someone on site to document everything is that when the County has legal issues on the contaminated soil there will be documentation that is necessary to win the dispute.

Ms. Hirschi asked where it will come from in the budget.

Mr. Dobey replied that it will come from the contingency fund.

Cmmr. Gallagher asked if the department is digging past the trench to find the source of contaminate.

Mr. Dobey explained that the beginning and ending points of the source has been identified. Part of the action plan will be a method of pipe installation that will make sure that the trench doesn't become a conveyance system off the site. The total remediation of the site will occur at a later date.

Sandy Tarzwell asked what the measurements are for getting costs back.

Mr. Dobey replied that it is measured in cubic yards. They estimate the total removal will be between 500 and 1,000 cubic yards of material.

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An audience member asked if there might be other sites encountered like this in the project.

Mr. Dobej responded that it is very likely. They know of at least one additional site that may require clean up.

Cmmr. Sheldon/Gallagher moved and seconded to approve Consent items 8.1 through 8.11. Motion carried unanimously. RE-absent; S-aye; G-aye.

9. 9:30 a.m. Public Hearings and Items Set for a Certain Time.

9.1 Public hearing to consider Road Vacation #372, vacation of a portion of Burgundy Road.

Cathe Bennett, Public Works, stated dispute recently arose over the status of approximately 520 feet of road right of way at the end of Burgundy Road that is located entirely on a single property and that terminates with no turn-around area. This segment of road has been in the County road system for decades and has been paved by Public Works. Consequently, it is considered a public right of way by virtue of public use and maintenance under RCW 36.75.070 & 36.75.080.

However, because there is neither a written and recorded right of way conveyance nor a Superior Court judgement confirming the public right of way by use, the owner of the property contends that it is not part of the County road and attempted to place a gate across it to prevent burglaries and illegal dumping. Public Works has arranged a resolution of the dispute in which the County vacates, at its expense, the disputed segment of road. In exchange, the owner conveys to the County a right of way easement for the remaining road segment and additional right of way for a turn-around, ninety feet in diameter. The segment to be vacated is of no use to the County, whereas the turn-around is a significant improvement to Burgundy Road.

In compliance with RCW 36.87.40, on March 22, 2010, Public Works staff examined the portion of road to be vacated. Their findings were the following: The road right of way is presently open to the general public but rarely used by other than the property owner and two related families who own adjacent property. The right of way area is not deemed necessary for the County road system for the future. The public will benefit by this action, since it will resolve a right of way dispute, avoid legal action against the County and provide a turn-around area that does not now exist.

Public notice has been provided as required by RCW 36.87.050, both by posting at the site and by publishing in the county official newspaper. The County Engineer recommends the vacation of the subject portion of Burgundy, subject to existing easements for ingress and egress or any other purposes, if any, and, in accordance with RCW 36.87.170, retaining an easement in favor of Mason County for any utilities present in the vacated right of way.

Questions for Staff

Cmmr. Gallagher asked if the department went past the area indicated on the map for maintenance.

Ms. Bennett explained those were privately maintained areas.

There was no public testimony.

Cmmr. Sheldon commented that staff has worked hard on this project and they have worked well with the landowners to come up with a resolution without going to court.

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Cmmr. Sheldon/Gallagher moved and seconded to approve the vacation of the subject portion of Burgundy, subject to existing easements for ingress and egress or any other purposes, if any, and, in accordance with RCW 36.87.170, retaining an easement in favor of Mason County for any utilities present in the vacated right of way. Motion carried unanimously. RE-absent; S-aye; G-aye.

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

- 10.1 Sheriff Salisbury thanked Ms. Hrbacek for her comments. He announced that the students at Hawkins Middle School won a statewide contest about changing something in their community that could make a difference. They chose a project regarding registered sex offenders. He also noted that his deputies are past the 41 month period without a contract. It is now going to be extended until October and he's terribly disappointed. He further reminded the public that they his office received a \$611,000 grant that is due to run out in the next number of months. When it runs out there will be 5 more people that could be lost from the Sheriff's office.

Cmmr. Gallagher asked if those positions would be put in the 2011 budget.

The Sheriff answered that the positions will be put in the budget and he will try to put in the positions that need to be recovered from the last cuts.

- 10.2 Vicki Kirkpatrick, Health Department, thanked Public Works for offering temporary storage for what are called "hospitals in a box". They are deployed in the event that the regular hospital system is overwhelmed. This moves the County further in its ability to respond to catastrophic events.

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 10:23 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Ross Gallagher, Chair

ATTEST:

Lynda Ring Erickson, Commissioner

Shannon Goudy, Clerk of the Board

Tim Sheldon, Commissioner