

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

June 15, 2010

1. Call to Order – The Chairperson called the regular meeting to order at 9:00 a.m.
2. Pledge of Allegiance – Phil Wiatrak 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 City of Shelton and Mason County Fire District 5 requested time on an upcoming agenda to discuss the work they are doing to fully integrate their fire departments.
 - 4.1.2 Mason County Fire District No. 6 appointed Todd Ward as their primary representative to the Mason Council EMS Council and Clint Volk as their alternate representative.
 - 4.1.3 The League of Women Voters of Mason County announced that they will be studying the Mason County citizen advisory groups as part of their "Know Your County" project.
 - 4.1.4 The Washington State University reappointed Bob Simmons as County Director for the Mason County WSU Extension for a four year term.
 - 4.1.5 The Washington State Liquor Control Board sent notice of new liquor license applications for North Shore Place in Belfair and 2 Margaritas in Union, notice of a special occasion liquor license application for the Mason County Master Gardener Foundation and notice of establishments in Mason County with liquor licenses due to expire on September 30, 2010.
 - 4.1.6 The Washington State Office of Financial Management sent their preliminary population determinations.
 - 4.1.7 The Squaxin Island Tribe announced the reelection of Charlene Krise and Arnold Cooper to Tribal Council and provided an updated list of Staff and Council members.
 - 4.1.8 The Clifton Beach Cooperative Water Association expressed concerns regarding issues pending before the Supreme Court concerning small private water companies.
 - 4.1.9 The Mason County Treasurer reported on corrections and refunds for the 2009 tax rolls.
 - 4.1.10 Brenda Hirschi requested corrections to the May 11, 2010 regular meeting minutes.
 - 4.1.11 John Stadler is seeking assistance in resolving a road naming dispute.
 - 4.1.12 Edith McLaughlin, Mozell Snider, Shawn Peters and Rick Means expressed concerns regarding the proposed ADAGE project.
 - 4.2 Staff Recognition – Community Development. Cmmr. Ring Erickson recognized Mark Core for his excellent work at the Permit Assistance Center and presented him with the green star award.
 - 4.3 Charlie Butros, Public Works Director, announced the bid award for County Road Project, 1717 Johns Prairie Road. The award is to the low bidder, Active Construction, Inc. of Puyallup, Washington at their bid price of \$565,028.71.
 - 4.4 Charlie Butros also provided the annual notification to contractors of the existence of the Small Works Roster and invitation to apply for placement on that list. There is no deadline for placement on the Small Works Roster. Contractors will be added to the Roster at any time they fill out and submit the form provided by the Department of Public Works.
5. Open Forum for Citizen Input –

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- 5.1 Joe Robertson commented that he became aware last week that it was recommended to the Commission that the Skate Board Park be closed due to lack of funding. He is concerned about the effect this will have on businesses in the downtown and Mountain View areas. He is asking that the Board allow time for him to work with the Chamber and the Parks Director to come up with a solution before any action is taken. There are problems with the loitering issue that will be hard for law enforcement to take care of. Keeping the park open is another options to alleviate these problems. He would like time to see if there is enough interest between the businesses to work something out.
- 5.2 Craig Watson presented a recent statement by the American Heart Association regarding the effects of particulate matter on heart health. He noted that the ADAGE incinerator would emit 380 tons of particulate matter, of which 96 tons would be particulate matter under 2.5 microns. He read a portion of the study aloud and presented a copy to the Board for the record.
- 5.3 Al Brotche proposed an advisory ballot for the ratification or ejection of the ADAGE project. He stated that he approached the Port Commissioners with the suggestion for an advisory ballot to be put forth before the voters in the Port. Jay Hupp felt that it is a critical issue and the advisory ballot should be countywide. He received numbers from the Elections department that it would cost \$550 for the Port to run the ballot. It would cost less than \$1100 for the County to submit an advisory ballot across the entire county. There is no initiative or referendum process at the local level in County government and there is no petition process to bring before the Board of Commissioners. He read a resolution that he prepared to support an advisory ballot and asked the Commissioners for their individual opinions on the issue.

Cmmr. Ring Erickson thought that the language in an advisory ballot should set the acceptable levels for particulate matter so it is not discriminating against one individual or cooperation. She described how it could be a parallel discussion to what went on with the removal of tobacco advertising. It would have to be a look at what the expected levels for particulate emissions would be for ADAGE and then restricting all other activities in Mason County that meet or exceeds that level. If something were put on the ballot it would need to be equitable and non-discriminating. She wouldn't want to put the County in position where it was sued for discriminating against one particular permit. She took an oath of office to uphold the laws and she is going to do that.

Cmmr. Gallagher noted that the County hasn't even received a permit. He has thought about this issue and conferred with legal council. This will be a permit and he doesn't want to go against the process, which hasn't even begun.

Cmmr. Sheldon thought that there was a lot of misinformation about the issue. The County has not received a permit application from ADAGE. They have completed an application with the air quality agency in Olympia. This is not an incinerator it is a bio-power energy plant. There was no public vote on Walmart or the Manke gravel mine, which were both very controversial. This is a representative form of government. There are zoning laws, shoreline laws and other laws from the State, Federal Government and the County that the Board follows. He believes the public did get a chance at a referendum with Initiative 937. The Initiative was passed by the State and in this County. It lists the renewable energy requirements that public power and investor owned utilities must have by 2020. Biomass was listed in the Initiative as renewable power. The Governor has also come out in favor of biomass. He thinks that the main problem is the lack of good information. There needs to be an objective, educated discussion on the issue without hysteria. He is looking forward to the report from the scientists at ORCAA and to evaluating the application from the company when it is received. There is a process to follow so that everyone is treated fairly and equally.

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Cmmr. Ring Erickson noted that she would also like a list of all of the personal and business activities that currently exceed the level of dispersal that ADAGE might produce.

Cmmr. Sheldon added that there should be a good conversation about green renewable power. He thinks the county is too dependent on off shore oil. He thinks everyone in the county and the country needs to think about how to achieve renewable power.

- 5.4 Richard Curtis supported what was said by Mr. Brochte. He believes that within 6 months biomass will no longer be considered renewable energy by the Federal Government.
- 5.5 Bob Stone stated that he has lived in the county for 40 years. He really loves and enjoys the clean air of the county and he is against ADAGE. The proposed plant is 2 miles from his property and next to the ball field where the children play. He did some research and found that the American Clean Energy and Security Act would create a new loophole for carbon emissions and biomass.
- 5.6 Annette McGee stated she didn't know the advisory ballot option would come before the Board. As a former Commissioner, she urged the Board to consider it.
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 – May 24, 2010 and June 7, 2010 briefing meeting minutes and June 1, 2010 and June 8, 2010 regular meeting minutes.

Cmmr. Sheldon/Ring Erickson moved and seconded to approve the May 24, 2010 and June 7, 2010 briefing meeting minutes and June 1, 2010 and June 8, 2010 regular meeting minutes. Motion carried unanimously. RE-aye; S-aye; G-aye.

8. Approval of Consent Agenda:
 - 8.1 Approval of the resolution setting a public hearing on Tuesday, July 13, 2010 at 9:30 a.m. to consider the petition to establish Mason County Cemetery District 2.
Resolution No. 45-10 (Exhibit A)
 - 8.2 Approval for the Chair to sign Amendment B for Grant No. FY08-90002-004 for the Mason County Courthouse Restoration Project with the State of Washington Department of Archaeology and Historic Preservation. This amendment extends the expiration date to June 30, 2011 and changes the scope of work to include interior restoration work on the Courthouse. There is no cost change.
 - 8.3 Approval of the consulting Local Agency Agreement (LAG) with Otak, Inc. to provide a Stormwater Utility Sustainable Financial Study for Mason County. The maximum amount payable is \$186,000 and is funded by the Stormwater Implementation Grant with the Department of Ecology (Grant No. G0800631).
 - 8.4 Approval of a contract with Norman Anderson to provide professional services as the County's representative on the Dispute Resolution Board (DRB) for Belfair Wastewater Reclamation Project. The total is not to exceed \$5,000.
 - 8.5 Approval of the revisions to County Road Project 1922, Brockdale Road (Resolution 30-09) and authorize County Road Projects 1922R Brockdale Road; 1942 McEwain Prairie Road; 1943 Shelton Matlock Road and 1944 Shelton Matlock Road 2010 Hot Mix Asphalt (HMA) Overlay Projects and allow Public Works to advertise, set bid opening date/time, award contract and authorize the Chair to sign all pertinent documents. Contract award will be announced during a regular meeting of the Board. **Resolution No. 46-10 (Exhibit B)**

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- 8.6 Approval the resolution setting an application fee of \$5,000 to cover the reasonable cost of processing a competitive telecommunication cable franchise application that is filed with Mason County. **Resolution No. 47-10 (Exhibit C)**
- 8.7 Approval to appoint Angela White, Government Affairs Director of the Olympia Master Builders, to the Mason County Stormwater Advisory Task Force to replace current member Will Stakelin.
- 8.8 Approval of the recruitment and hiring of one Combined Sewer & Water Operator I for the water/sewer program and authorize the recruitment and hiring of two extra help positions for the Solid Waste Program on a temporary, as needed basis. The water/sewer program position is budgeted in the 2010 budget. The cost for the extra help positions in Solid Waste should not exceed \$35,000 and will be paid from the existing fund balance.
- 8.9 Approval of Amendment 7 to the existing WRIA 16 and 14b Phase IV Watershed Implementation Grant agreement between Mason County and Washington State Department of Ecology to increase grant funds by \$30,000 to a total of \$336,000 (Ecology Grant No. G0800033).
- 8.10 Approval of the contractual agreement with Pacific Groundwater Group in the amount of \$64,461 to ~~providing~~ *provide* hydrogeology and ground water monitoring consulting services as provided under the WRIA 16 and 14b Phase IV Watershed Implementation Grant Agreement. This project is entirely funded through grant funds from the Department of Ecology.
- 8.11 Approval to authorize the Chair to sign the contract extension and Amendment No. 11 to existing Services Agreement between Sound Resolutions, consultants and Mason County to provide for grant funded services related to WRIA 16 meeting facilitation and management. The existing contract is \$426,109 and this amendment increases the contract by \$45,000 and is funded under the Department of Ecology Watershed Planning Grants.
- 8.12 Approval of the Veterans Assistance Fund application for: Lars (Mrs. Mary) Christensen – Utilities \$215.18 and Gregory Giraldes – Utilities \$228.99 for a total of \$444.17 as recommended by the Veterans Assistance Fund Screening Committee.
- 8.13 Approval of the amendment to the Department of Social and Health Services Agreement #0963-53334 extending the period of performance to December 31, 2019 for Medicaid Administrative Services. There is no cost to the amendment.
- 8.14 Approval of Warrants
- | | | |
|----------------------|--------------------------|-----------------|
| Claims Clearing Fund | Warrant #s 172501-174418 | \$ 6,988,576.68 |
| Salary Clearing Fund | Warrant #s 3594-3684 | \$ 519,465.04 |
| Direct Deposit Fund | Deposit #s 20993-21733 | \$ 1,088,307.92 |
- 8.15 Approval of the resolution setting a budget hearing on July 6, 2010 at 9:30 a.m. to transfer \$10,000 from Current Expense Ending Fund Balance to Current Expense Non-Departmental to update the Cable TV Franchise Master Ordinance and negotiate current franchise agreements with the cable companies doing business in Mason County. A \$96,230 Supplemental Appropriation to Current Expense/Sheriff's Department for revenues from the Department of Justice 2009 Recovery Act Edward Byrne Memorial Justice Grant Program; a \$19,635 Supplemental Appropriation to Current Expense/Sheriff's Department for revenues from the Department of Justice 2010 Edward Byrne Justice Assistance Grant Program; a \$16,168.93 Supplemental Appropriation to Current Expense/Sheriff's Department from a refund from Zenith Corporation and a \$5,000 Supplemental Appropriation to the Sheriff Chaplain Fund (#141-000-000) for revenues from private donations. **Resolution No. 48-10 (Exhibit D)**
- 8.16 Approval to hire Karen Jackson as the Human Resources Director beginning July 1, 2010 at salary range 39, step C, \$6,526 per month.

Cmmr. Sheldon asked that item 8.16 be removed for clarification and a separate vote.

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Sheriff Salisbury had a question on item 8.15.

Mike Rutter, Facilities and Grounds Director, had additional information for item 8.2.

Item 8.2

Mr. Rutter thought that the no cost phrase was misleading. The State has awarded the County \$200,000 and the match that the State needs will come from Save America's Resources. In the end it will be cost neutral to the County.

Item 8.15

Sheriff Salisbury wanted to make sure that the Chair had authorization to sign the grant application for the \$19,635 Edward Byrne Justice Assistance Grant. The application is due on the 30th and it will need a signature. The grant has already been awarded.

Monty Cobb, Chief Deputy Prosecutor, stated that the Board would need to give the Chair authority to sign the application.

Cmmr. Ring Erickson suggested that the issue be taken care of under Other Business.

Theresa Ehrich noted that the .93 should be dropped from the \$16,168.93 Supplemental Appropriation to Current Expense/Sheriff's Department from a refund from Zenith Corporation.

Cmmr. Ring Erickson/Sheldon moved and seconded to approve Consent items 8.1 through 8.15, changing the amount in item 8.15 to \$16,168.00 and with a grammatical change to 8.10. Motion carried unanimously. RE-aye; S-aye; G-aye.

Item 8.16

Cmmr. Sheldon asked for clarification on the salary range and step.

Cmmr. Gallagher clarified that the salary has been changed to step D, which is \$6,690 per month.

Cmmr. Ring Erickson/Gallagher moved and seconded to hire Karen Jackson as the Human Resources Director beginning July 1, 2010 at salary range 39, step D, \$6,690 per month. Motion carried. RE-aye; S-nay; G-aye.

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

9.1 Public budget hearing to consider a supplemental appropriation to the 2010 budget for the Current Expense Fund, Department of Community Development, to incorporate additional funds from Department of Ecology for Amendment 7 to Grant G0800033 in the amount of \$30,000.

Barbara Adkins, Department of Community Development, noted that there were items on the Consent Agenda concerning the Department of Ecology Grants with Mason County and WRIA 16 and 14b. The item under 8.9 is amendment 7 to the existing WRIA 16 and 14b Phase IV Watershed Implementation Grant, increasing the grant funds by \$30,000. There was money received by the Department of Ecology for this grant that needs to be utilized by June 30th. The scope of the grant was changed to accommodate groundwater planning. Because Mason County is the lead agency for the Watershed Planning Group, the money needs to go through the County's budget. The budget has to be amended to show the money coming in and then the money will be transferred back out as it is spent. Item 8.10 is the agreement with Pacific Groundwater Group, which is the consultant group that will be doing the work. This is the housekeeping portion that goes with the grant amendment.

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There were no questions for staff or public testimony.

Cmmr. Sheldon/Ring Erickson moved and seconded to approve the supplemental appropriation to the 2010 budget for the Current Expense Fund, Department of Community Development, to incorporate additional funds from Department of Ecology for Amendment 7 to Grant G0800033 in the amount of \$30,000. Motion carried unanimously. RE-aye; S-aye; G-aye. Budget Order (Exhibit E)

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

10.1 **Cmmr. Ring Erickson/Sheldon moved and seconded approval for the Chair to sign the \$19,635 Department of Justice 2010 Edward Byrne Justice Assistance Grant application. Motion carried unanimously. RE-aye; S-aye; G-aye.**

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 10:08 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