



COMMISSIONERS
THOMAS J. FARMER
LINDA R. GOTT
BRUCE E. JORGENSEN

MANAGER
ANNETTE CREEKPAUM

March 15, 2017

Melissa McFadden
Deputy Director / County Engineer
100 W Public Works Drive
Shelton WA 98584

Re: License Agreement Extension

Dear Ms. McFadden:

Pursuant to the License Agreement dated September 17, 2014, between Mason County PUD No. 3 and Mason County Public Works (copy attached), PUD 3 requests an extension on the use of the property for storage of its poles until March 31, 2018.

If the County is agreeable to this extension, please sign and date this letter agreement below and return a copy to me at nicke@masonpud3.org.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Nick Earsley".

Nick Earsley
Project Manager – R/W

Ne

Attachment

Agreed to:

Mason County PUD No. 3

A handwritten signature in blue ink that reads "Annette Creekpaum".

Date: 3-15-2017

Mason County Public Works

A handwritten signature in blue ink that reads "Annette Creekpaum".

Date: 3-16-2017

LICENSE AGREEMENT

This agreement is dated this September 17, 2014, and is between Mason County Public Utility District No. 3, hereinafter referred to as PUD 3, and Mason County Public Works, hereinafter referred to as County. In consideration of the mutual covenants and conditions hereinafter provided it is agreed as follows:

1. The County owns the property described on "Exhibit A" attached hereto, hereinafter referred to as the Property.
2. PUD 3 shall have a license to use portions of the Property as may be approved by the County.
3. This license shall extend until February 28, 2015. This license may be extended by letter agreement if necessary, provided however, either party may terminate this agreement by a party giving to the other party thirty (30) days' written notice in advance of such termination.
4. This agreement cannot be assigned or transferred in any way by PUD 3 without the consent of the County in its sole discretion.
5. PUD 3 shall indemnify and hold harmless the County and its officers and employees from and against any claim for damages to person (including death) and property (including tangible and intangible, real or personal) arising out of or in any way connected to this agreement or the use of the Property. This indemnification and hold harmless shall extend to cover any attorney's fees or court costs incurred by the County in defense of any such claim or claims.
6. PUD 3 shall compensate the County for any damage to County property caused by the negligent or intentional acts of PUD 3 employees, officers, agents, invitees or licensees.
7. PUD 3 shall maintain comprehensive general liability insurance in the combined single limit amount of not less than \$1,000,000.00 so long as this agreement is in effect and for a period of three years after its termination.
8. In the event either party brings an action to enforce this agreement or to recover damages for the breach of same, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs. The venue for any such action shall be the Mason County Superior Court.
9. This contract represents all the agreements and understandings between the parties: there are no other agreements or representations; oral or written which are not included in this agreement.

Mason County Public Utility District No. 3

By: Annette Calkins

Title: Manager

Date: 9/17/14

Mason County Public Works

By: [Signature]

Title: Manager

Date: 9/17/14

Exhibit A

Mason County Public Works property located at the intersection of W Matlock Brady Road and W Matlock Deckerville Road, parcel number 62011-230-00060 described as TR 6 OF SW NW, known as the "Matlock Mall."

MASON COUNTY COMMISSION AGENDA ACTION SHEET		ACTION															
September 16, 2014																	
8.1	Approval for the Chair to sign a Letter of Engagement with Foster Pepper PLLC for assistance on the proposed lake management district (LMD) for Lake Nahwatzel. Green Diamond and Forterra have agreed to pay \$2000.00 each for the Foster Pepper fees in the event the LMD is not created, otherwise Foster Pepper charges will be included as a cost of the LMD.	Approved															
8.2	Approval to set a public hearing on Tuesday, October 7, 2014 at 10:30 a.m. to take testimony and consider abolishing the Skokomish Flood Control Zone District.	Approved															
8.3	Approval for the Board to sign a letter of intent in order to replace the Superior Court Management Information System (SCOMIS) with Superior Court Case Management System (SC-CMS) and Document Management System (DMS). This upgrade is deemed necessary as the State has determined that SCOMIS can no longer keep up with demands of new technology. There should be little to no cost associated with individual counties to participate in this DMS project.	Approved															
8.4	Approval of the Veterans Assistance Fund application for food \$150.00 as recommended by the Veterans Assistance Committee.	Approved															
8.5	Approval of Warrants: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Claims Clearing Fund</td> <td style="width: 30%;">Warrant #s 8011261-8011280</td> <td style="width: 40%; text-align: right;">\$ 11,583.59</td> </tr> <tr> <td>Claims Clearing Fund</td> <td>Warrant #s 8011284-8011322</td> <td style="text-align: right;">\$290,270.34</td> </tr> <tr> <td>Claims Clearing Fund</td> <td>Warrant # 8011323</td> <td style="text-align: right;">\$ 6,675.48</td> </tr> <tr> <td>Direct Deposit Fund</td> <td>Warrant #s 16027-16416</td> <td style="text-align: right;">\$573,279.99</td> </tr> <tr> <td>Salary Clearing Fund</td> <td>Warrant #'s 7000493-7000531</td> <td style="text-align: right;">\$792,326.65</td> </tr> </table>	Claims Clearing Fund	Warrant #s 8011261-8011280	\$ 11,583.59	Claims Clearing Fund	Warrant #s 8011284-8011322	\$290,270.34	Claims Clearing Fund	Warrant # 8011323	\$ 6,675.48	Direct Deposit Fund	Warrant #s 16027-16416	\$573,279.99	Salary Clearing Fund	Warrant #'s 7000493-7000531	\$792,326.65	Approved
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8.6	Approval for the Board to sign a letter requesting technical advice and assistance from the Trust for Public Land in efforts to finance parks, trails, open space and land conservation. There will be no cost to the County for this assistance	Approved															
8.7	Approval to set a hearing for Tuesday, October 14, 2014 at 9:30 a.m. to consider the 2015 Annual Construction Program and 2015-2020 six year Transportation Improvement Program.	Approved															
8.8	Approval for the Board to execute the Interlocal Agreement between Mason County and Island County for reimbursable work, supplies and/or rental equipment. This agreement will remain in effect until terminated by either party.	Approved															
8.9	Approval for the Board to authorize the County Engineer to sign the agreement and future extending letter agreement (s) with PUD 3 that will allow them to use a portion of the County owned property at the intersection of W. Matlock Brady Road and W. Matlock Deckerville Road (parcel 62011-23-00060).	Approved															
8.10	Approval of the Request for Proposal process to select contractors to provide homelessness and housing services for 2015. These services will be paid by 2163 Housing Funds from recording fees with an estimate of \$300,000 for contracts for 2015.	Approved															
8.11	Approval of the ordinance to amend Rules of the Board – Meetings of Board of County Commissioners amending Chapter 2.88.020 that special meetings may be called at any time only by a majority of the members of the Commission and Chapter 2.88.090 to reflect changes to the Open Public Meetings Act that regular meeting 8.11agendas must be posted online 24 hours in advance of the published start time of the meeting. Ordinance 50-14	Approved															