

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

November 9, 2010

1. Call to Order – The Chairperson called the regular meeting to order at 9:01 a.m.
2. Pledge of Allegiance – Bonnie Salisbury 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 Department of Natural Resources provided a Projection of Income from State Forest Lands regarding timber sales in Mason County.
 - 4.1.2 The Washington State Liquor Control Board sent notice that Lefties Pub & Eatery is discontinuing sales and service of liquor.
 - 4.1.3 The Mason County Transportation Authority requested a letter of support for their application to the Washington State Department of Transportation Consolidated Grant Program.
 - 4.1.4 The Hood Canal Environmental Council provided information regarding recent Wastewater Reclamation Facility (sewer system) meetings.
 - 4.1.5 Public Utility District No. 1 sent notice of withdrawal from the Tri-Party association.
 - 4.1.6 ADAGE requested withdrawal of the Determination of Significance for the proposed biomass facility in Shelton.
 - 4.1.7 Elizabeth Jahnke is seeking appointment to Mason County Historic Preservation Commission.
 - 4.1.8 Connie Raezer is seeking appointment to Timberland Regional Library Board of Trustees.
 - 4.1.9 Mason County Fire Protection District #13 provided their 2011 budget.
 - 4.2 Staff Recognition - Public Works. Charlie Butros recognized Jonathan Peterson for assisting a citizen during an emergency. Cmmr. Gallagher presented Mr. Peterson with the Green Star Award.
 - 4.3 News Release - Geographic Information Systems (GIS) Day. Charlie Butros read a news release announcing that GIS Day will take place on November 17, 2010. There will be a free event beginning at 8:15 a.m.
5. Open Forum for Citizen Input –
 - 5.1 Patricia Vandehey responded to Commissioner Gallagher's comments at the last meeting regarding the EIS directive sent to Adage. She was offended by Commissioner Gallagher's use of the phrase "make an honest woman out of her". She provided a copy of her statement for the record.

Cmmr. Gallagher clarified that his comment regarding an honest woman was referring to Adage as a business, not to a particular person.

Cmmr. Sheldon commented that the process regarding this permit is moving along. The issues are still waiting to be resolved. He hopes the rhetoric and emotion will tone down after the election.
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.**

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7. Approval of Minutes – October 19 regular meeting minutes and October 25 preliminary 2011 budget workshop minutes.

Cmmr. Ring Erickson noted a correction to page 6 of the minutes. Her question was whether Grapeview had ever been classified as a Rural Activity Center. She was aware that it was a Hamlet.

Cmmr. Gallagher had a correction under item 8.4 on page 4 of the minutes. His vote should be reflected as nay.

Cmmr. Ring Erickson/Sheldon moved and seconded to approve the October 19, 2010 regular meeting minutes with the noted corrections and the October 25, 2010 preliminary 2011 budget workshop minutes. Motion carried unanimously. RE-aye; S-aye; G-aye.

8. Approval of Action Agenda:

- 8.1 Approval of the resolution revising the salary for the Coroner to be equal to that of the Assessor, Auditor, Clerk and Treasurer at \$68,130 annually effective January 1, 2011. The Coroner position was originally established as a part-time position at \$51,192 annually and it is now a full time position. **Resolution No. 80-10 (Exhibit A)**
- 8.2 Approval to award \$800,000 to the Mason County Utilities & Waste Management Department from the Rural County Sales & Use Tax Fund (.09) for the Belfair Waste Water Reclamation Project. This award is necessary in order to forgive the \$800,000 loan that was made in 2007 to the Belfair Waste Water Utility. This project is listed in the 2010-2011 Comprehensive Economic Development Strategy List (CEDS). This was continued from November 2, 2010.
- 8.3 Approval of the resolution for the forgiveness of Interfund Loan Resolution #21-09 from Rural County Sales and Use Tax (.09) fund to the Belfair Wastewater & Water Reclamation Fund in the amount of \$800,000. This was continued from November 2, 2010. **Resolution No. 81-10 (Exhibit B)**
- 8.4 Approval to set a public hearing on Monday, December 6, 2010 at 9 a.m. to consider the 2011 budget for Mason County. Copies of the 2011 preliminary budget will be available to the public on November 22nd
- 8.5 Approval to appoint Martha A. Harrell to the Mason County Historic Preservation Commission to fill a vacant position ending December 2011.
- 8.6 Approval of a grant to Habitat for Humanity of Mason County in the amount of \$200,000 for costs associated with the construction of four duplexes (8 housing units) which will increase low income housing in Mason County.
- 8.7 Approval of the Veterans Assistance Fund applications for: Donald Howard (Billie) – Burial \$600.00; Dean L. Escott – Utilities \$116.49 for a total of \$716.49 as recommended by the Veterans Assistance Screening Committee.
- 8.8 Approval to accept the recommendation of the Hearing Examiner for the vacation of the right of way as petitioned for a portion of Old Shelton Matlock Road, Vacation File No. 374, subject to the conditions contained in the Findings, Conclusions and Recommendations of the Hearing Examiner.
- 8.9 Approval to accept the recommendation of the Hearing Examiner for the vacation of a portion of Fourth Street, platted right of way, Vacation File No. 375, subject to the conditions contained in the Findings, Conclusions and Recommendations of the Hearing Examiner.
- 8.10 Approval for the Equipment Rental & Revolving Fund (ER&R) Manager to purchase one new 2011 Ford Crown Victoria police car utilizing the Washington State contract. The cost is approximately \$28,000 and will be paid from the ER&R Fund.

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- 8.11 Approval of the Interagency Agreement No. C1100074 between the State of Washington Department of Ecology and Mason County Public Health. The purpose of this agreement is to fund the removal of tires collected from the beach cleanup and stored at the Taylor Shellfish property. The maximum cost to Ecology is not to exceed \$5,000.
- 8.12 Approval for the Environmental Health Manager to use telephone quotes to hire a contractor to cleanup and dispose of the beach cleanup tire piles stored at Taylor Shellfish. The cost will not exceed \$4,500 and will be paid by Department of Ecology.
- 8.13 Approval of Warrants
- | | | |
|----------------------|--------------------------|-----------------|
| Claims Clearing Fund | Warrant #s 179293-180500 | \$ 3,664,707.63 |
| Salary Clearing Fund | Warrant #s 4055-4124 | \$ 298,862.82 |
| Direct Deposit Fund | Deposit #s 24708-25078 | \$ 545,796.88 |

An audience member had a question on item 8.2.

Cmmr. Ring Erickson had a question on item 8.6.

Annette McGee had a question on item 8.11.

Cmmr. Sheldon called for a separate vote on item 8.1 and had a comment on item 8.4.

Item 8.2

The audience member stated that her impression was that this fund was to be used for capital development projects.

Emmett Dobey, Utilities and Waste Management, clarified that the funds were used for a capital project, which was the Belfair Sewer project. This would forgive the first \$800,000 that was used to start the construction of the project. Forgiving the loan will save the rate payers approximately 3%.

Item 8.4

Cmmr. Sheldon asked if this budget would assume a 1% increase in property taxes. He also wanted to know if that portion would require a separate vote.

Lisa Frazier, Treasurer, responded that it would be a separate vote and it does assume a 1% increase in property taxes.

Cmmr. Sheldon noted that last year he did not vote for a 1% increase in property taxes. Two Commissioners would need to vote to increase the property taxes next year. He doesn't anticipate that he will vote for an increase. He also noted that the budget, as it is now, spends over \$411,000 more than the County is bringing in but there may still be some adjustments.

Item 8.6

Cmmr. Ring Erickson asked what fund the grant would come from.

Cmmr. Gallagher responded that it would come from the dedicated 2060 fund.

Item 8.11

Ms. McGee asked who did the beach clean up.

Debbie Riley, Environmental Health, responded that the shellfish growers did the clean up.

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Cmmr. Ring Erickson/Sheldon moved and seconded to approve Action items 8.2 through 8.13. Motion carried unanimously. RE-aye; S-aye; G-aye.

Item 8.1

Cmmr. Ring Erickson explained that the County passed the population threshold a number of years ago where it is required to establish a Coroner's office. At the time the office was established it was a part time job. Since Mr. Stockwell has been in the position he has worked full time, so she believes it is appropriate to compensate a qualified individual with the same full time pay as the other elected officials.

Cmmr. Sheldon commented that he appreciates Mr. Stockwell's hard work and believes that he is the most qualified Coroner in the County's recent history. However, he feels that a 31% increase in pay for a position is a lot given the economic circumstances. He believes the recession is going to be deep and long and thinks that spending needs to be more closely monitored.

Cmmr. Ring Erickson/Gallagher moved and seconded to approve Action item 8.1. 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 hearing to consider the budget transfer from the Current Expense Ending Fund Balance fund to the Human Resources Budget in the amount of \$10,000.00.

Karen Jackson, Human Resources, explained that the professional services budget for the Human Resources department has historically been around \$20,000. In 2010 it was \$10,400. There was interest arbitration set up for the deputies' contract, which was settled. The costs for those professional services were quite expensive, with the last two bills totaling over \$15,000. There have also been bills from the 3rd party administrator for L&I claims that total over \$14,000. Right now there is about a negative \$15,000 in the line. Some of that will be absorbed from the savings of not having filled the HR Director position. The additional monies being requested would cover the professional services. There are also some payroll services that total about \$1,300 for cashing out benefits for the Sheriff's deputies.

There were no questions for staff or public testimony.

Cmmr. Ring Erickson/Sheldon moved and seconded to approve the budget transfer from the Current Expense Ending Fund Balance fund to the Human Resources Budget in the amount of \$10,000.00. Motion carried unanimously. RE-aye; S-aye; G-aye. Budget Order (Exhibit C)

- 9.2 Public hearing to review the request by McReavy House Museum to rezone three parcels (1.30 ac. total) near State Route 106 in the Union Rural Activity Center; request involves the rezone of these parcels from Rural Residential 2.5 to Rural Commercial 3 zone.

Allan Borden, Department of Community Development, presented the staff report. The applicant is the McReavy House Museum, represented by Michael Fredson. They are requesting that three parcels within the Union Rural Activity Center be rezoned from Rural Residential 2.5 to Rural Commercial 3. The total acreage is about 1.2 acres for all three properties. The reason for the request is to give the museum the opportunity to provide services such as parking and possibly a small store. The property is accessed from 2nd Street and the property overlooks Highway 106. The surrounding properties are zoned Rural Residential 2.5, except the Union Country Store building and the Marina facilities, which are Rural Commercial 3. Septic and water are currently available to the house on the property.

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Mr. Borden reviewed the 7 rezone criteria in the Mason County development regulations. The issues in criterion 1, which have to do with public health and safety, will be addressed in the County development regulations as the property is developed. Criterion 2 is the appropriate zone criterion. The property occurs in the Union Rural Activity Center. When the County designated the Rural Activity Center it was anticipated that land uses would change, so it is appropriate for a Rural Residential property to be zoned to another land use as requested. There is no anticipated impact to resource based uses in the area, it wouldn't create sprawling low-density development and the rezone would not create a demand for urban services in the area. It also would not affect the Urban Growth Area in Shelton, which is several miles away. In regards the criterion that addresses critical areas, there are slopes and winter drainage to the east of the property. Any development that was proposed would have to comply with County development regulations concerning those kinds of critical areas. Criterion 7 asks whether the proposed rezone would cause pressure to change other designations in the areas. This is a small set of properties that are located near where other commercial development has taken place. It wouldn't cause change to the Rural Activity Center boundaries. Staff finds that the request does meet the 7 rezone criteria with the requested Rural Commercial 3 zone.

Mr. Borden noted that the Planning Commission heard this request on August 16th. Issues did come up at that hearing dealing with access to the property. The primary access to the property is not a developed road. Many of the properties adjacent to the road are using the road for parking. That issue would need to be addressed if the property were rezoned and proposed for further development. Another issue was fire access to the property, which goes hand in hand with the road access. The Planning Advisory Commission adopted a motion to approve the requested rezone with all 6 in favor.

Questions for Staff

Cmmr. Sheldon noted that there was a slide near the Union Country Store. He asked if that slide came from this property.

Mr. Borden replied that is likely what happened. There are several properties to the south that have the same steep slope, but it has pronounced drainage. It is an issue that would need to be addressed with any further development to the property.

Cmmr. Sheldon asked who has the title to the property.

Mr. Borden explained that the McReavy House has the title and they are non-profit organization, which means that they are tax exempt for the assessed value.

Cmmr. Sheldon asked what the assessed value is.

Mr. Borden thought it was about \$144,000.

Cmmr. Sheldon asked if there is a functioning septic system.

Mr. Borden didn't know. Early in the process the applicant was working on maintaining or improving the system.

Cmmr. Sheldon addressed the road access issues. He noted that it is a one lane road that could provide difficulty for a fire truck. He also asked if the neighbors have been properly notified of the hearing.

Mr. Borden replied that the property owners were notified at the time of the Planning Commission hearing and again over two weeks ago. Signs were also posted at Highway 106 and the corner of Main Street and 2nd Street.

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Cmmr. Ring Erickson was concerned about the adequacy of the septic and water when transitioning to commercial use. She also had concerns about commercial traffic on the undeveloped road and the impact to the adjacent homes on the road.

Mr. Borden noted that if any additional commercial use were proposed on the property there would be a pre-submission meeting.

Andrew Graham asked the current use of the three parcels.

Mr. Borden answered that two of the properties are vacant and one parcel has the house on it.

Mr. Graham asked if the vacant parcels are used for parking.

Mr. Borden responded that one is not and the other may have some unorganized parking.

Public Testimony

Mike Fredson, applicant, appreciated the opportunity to come before the Board for this rezone. He stated that there have been good questions raised, which he can address. They have been working hard at addressing the septic, water and drainage issues. The drainfield was no good because the septic tank was broken so they are operating on a port-a-potty. They now have a functioning septic system that cannot be used because there isn't water. A deck and porch are being built and to get that permit they had to do a geo-tech report. Between all of the engineers they have been able to submit a site plan to Planning. The property has been cleared for parking. They are trying to manage their uses without overstepping their bounds.

Cmmr. Sheldon commented that this is an exciting project and thanked Mr. Fredson for his work on it. He noted that a letter was provided to Allan Borden that states that if the rezone were approved it would provide a less intensive use than private lots. He asked how a museum that is open to the public would be less intensive use than a private residence.

Mr. Fredson explained that there are 8 single families in the area, which would create 40 trips per day. The use at the McReavy House would definitely be less than that. There would mainly be events on the weekends. There is also a great walking path. It is a spotty use at best and the daily use would be 10-20% of a single family.

Cmmr. Sheldon asked if people could park at the fire hall for large events.

Mr. Fredson replied that there are several ways to walk to the property.

Steve Whitehouse spoke as a volunteer on behalf of the McReavy house. He clarified that the title to the house is in the name of the McReavy Museum of Hood Canal. It was transferred by Elizabeth Visser in October of 2007. It is a non-profit corporation. This rezone is allowing the museum to be viable. It is difficult to raise money if nothing can be done with it. It is the oldest house in Mason County and it needs to be preserved. They would prefer a better access, but it is the only access because the State will not permit access from the highway. Allowing the museum to exist allows them to develop the property for sufficient onsite parking.

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Cmmr. Sheldon noted that this is in his district and he feels there are a lot of challenges facing the property. There is a huge amount of enthusiasm in the community and hard working people who want this developed. If this rezone is approved it will have to meet commercial standards for setbacks, stormwater sewage and access. There are a lot of challenges but they can be addressed. Granting the rezone will not make it an easy road, but the road will be there. This will be hard to do but he would like to see it succeed.

Cmmr. Sheldon/Ring Erickson moved and seconded to approve the request by McReavy House Museum to rezone three parcels (1.30 ac. total) near State Route 106 in the Union Rural Activity Center; request involves the rezone of these parcels from Rural Residential 2.5 to Rural Commercial 3 zone, and to have the Chair sign Findings of Fact for this decision. Motion carried unanimously. RE-aye; S-aye; G-aye.

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

10.1 Appointment to fill the Port of Grapeview Commissioner, Position #3.

Cmmr. Ring Erickson/Sheldon moved and seconded to appoint Dennis Legas to fill the vacant Port of Grapeview Commissioner, Position #3 to serve until a qualified person is elected. The position will be up for election in November 2011. Motion carried unanimously. RE-aye; S-aye; G-aye.

10.2 Vicki Kirkpatrick, Public Health, announced that a ribbon cutting took place last week for two unwanted drug take back boxes in Mason County. In less than a full week the Sheriff's office picked up 16 pounds of unwanted drugs.


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 10:27 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON



Ross Gallagher, Chair



Lynda Ring Erickson, Commissioner

ATTEST:



Shannon Goudy, Clerk of the Board



ABSENT 11/30/10
Tim Sheldon, Commissioner

RESOLUTION NO. 80-10
AMENDING RESOLUTION NO. 116-06 & 77-10
INCREASING THE CORONER'S SALARY TO BE EQUAL TO CERTAIN OTHER ELECTED OFFICIALS' SALARIES
EFFECTIVE JANUARY 1, 2011

WHEREAS, RCW 36.40.080 states that "...the Board of County Commissioners shall fix and determine each item of the budget separately and shall by resolution adopt the budget...,"

WHEREAS, RCW 36.16.070 states that "...the Board shall fix the compensation of all employees...,"

WHEREAS, the Coroner position was originally established as a part time position and the salary was set at approximately 75% of certain other elected officials,

WHEREAS, the Coroner position is now a full time position and the Commission has determined it is appropriate to establish the Coroner salary to be equal to that of the Assessor, Auditor, Clerk and Treasurer at \$68,130 annually.

NOW THEREFORE BE IT RESOLVED, effective January 2011 the Board of Mason County Commissioners does hereby establish the Coroner salary at \$68,130 annually.

Approved this 9th day of November, 2010.

BOARD OF COUNTY COMMISSIONERS



Ross Gallagher, Chairperson

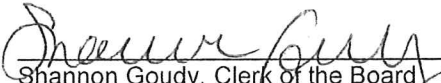
naif

Tim Sheldon, Commissioner



Lynda Ring Erickson, Commissioner

Attest:



Shannon Goudy, Clerk of the Board

Approved as to Form:



Monty Cobb, Chief Deputy Prosecutor

C: Financial Services, Payroll
All Elected Officials and Department Heads

RESOLUTION NO. 81-10
FORGIVENESS OF INTERFUND LOAN RESOLUTION NO. 21-09
FROM RURAL COUNTY SALES AND USE TAX (.09) FUND #103-000-000
TO BELFAIR WASTEWATER & WATER RECLAMATION FUND #413-000-000

WHEREAS, the Mason County Board of County Commissioners approved an interfund loan from Rural County Sales & Use Tax (.09) Fund #103-000-000 to the Belfair Wastewater & Water Reclamation Fund #413-000-000 in the amount of \$800,000.00 and;

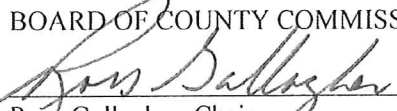
WHEREAS, it has been determined that the \$800,000.00 is an appropriate use of Rural County Sales and Use Tax (.09) Fund funds to expend on the Belfair Wastewater & Water Reclamation Facility under RCW 82-14-370 and RCW 36.70A.040.

WHEREAS, the Belfair Wastewater & Water Reclamation fund has another interest payment coming due as stated under Resolution No. 21-09,

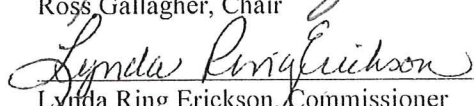
THEREFORE, be it resolved that the Board of Mason County Commissioners agree to forgive re-payment of the Interfund Loan from the Rural County Sales & Use Tax (.09) Fund #103-000-000 to Belfair Wastewater & Water Reclamation Fund #413-000-000 in the amount of \$800,000.00 plus accrued interest.

APPROVED this 2nd day of November, 2010.
am

BOARD OF COUNTY COMMISSIONERS



Ross Gallagher, Chair

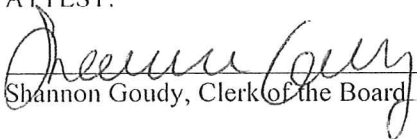


Lynda Ring Erickson, Commissioner



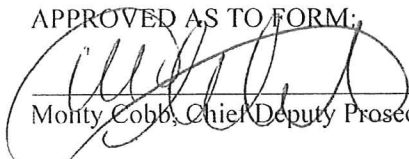
Tim Sheldon, Commissioner

ATTEST:



Shannon Goudy, Clerk of the Board

APPROVED AS TO FORM:



Monty Cobb, Chief Deputy Prosecuting Attorney

C: Treasurer, Accounting, Commissioners, Utilities, Rural Sales & Use Tax (.09) Fund

ORDER
2010 Budget

IN THE MATTER OF:
BUDGET TRANSFER – NOTICE OF HEARING
RESOLUTION NO. 79-10
DATED AND PASSED ON 19 OCTOBER 2010
FOR BUDGET TRANSFER OF:

WHEREAS, a notice was published and a public hearing was held in accordance with RCW 36.40.100 and RCW 36.40.195 and with Resolution No 79-10 (see Attachment B which is incorporated as part of this order).

The BOARD OF COUNTY COMMISSIONERS OF MASON COUNTY, hereby approves
The budget transfer from the Ending Fund Balance to the Human Resources Fund
001-057-000 in the amount of \$10,000.

BE IT FURTHER RESOLVED that this budget transfer will be expended and recorded
In the 2010 budget as listed in Attachment A which is also incorporated as part of this
Order.


PASSED in open session this 9th day of November 2010.

ATTEST:


Shannon Goudy, Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Ross Gallagher, Chair


Lynda Ring Erickson, Commissioner

APPROVED AS TO FORM:


Monty Cobb, Chief Deputy Prosecuting Attorney


Tim Sheldon, Commissioner

c: Auditor Financial Services
Treasurer

EXHIBIT C

BUDGET TRANSER

Attachment A

001-320-000-508.00.00.0000	Ending Fund Balance	
	Transfer out to Human Resources	(\$10,000)
FUND #001-057-000		
Uses:		
516.10.41.0010	Professional Services	\$10,000
TOTAL		\$10,000

RESOLUTION NO. 79-10
2010 BUDGET

BUDGET TRANSFER – NOTICE OF HEARING

WHEREAS, by reason of conditions which could not be reasonably foreseen at the time of making the budget for the year 2010, it is necessary to make provision for a budget transfer as required by RCW 36.40.100, and RCW 36.40.195 for the following:

\$ 10,000 from Current Expense Ending Fund Balance to Current Expense Human Resources for professional services expenses.

THEREFORE, BE IT RESOLVED BY THE Board of Mason County Commissioners:

That the 9th day of November 2010 at the hour of 9:30 a.m. in the Mason County Commissioners Chambers in Courthouse Building I, 411 North Fifth Street, Shelton, Washington, is hereby fixed as the time and place for a public hearing upon the matter of a budget transfer to the 2010 Budget as follows:

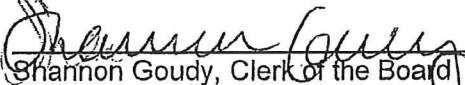
Human Resources #001-057-000-516.10.41.0010 in the amount of \$ 10,000

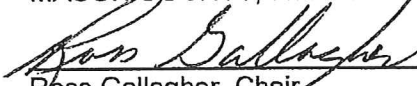
The Clerk of the Board is hereby authorized, empowered, and directed to cause notice of such hearing to be published as provided by law.


DATED this 19th day of October 2010.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

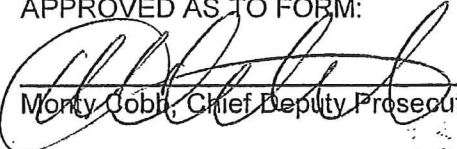
ATTEST:


Shannon Goudy, Clerk of the Board


Ross Gallagher, Chair


Lynda Ring Ericksen, Commissioner

APPROVED AS TO FORM:


Monty Cobb, Chief Deputy Prosecuting Attorney


Tim Sheldon, Commissioner

C: Auditor Financial Services
Treasurer

Published 2 x 10/28 & 11/4 – bill to Mason County Human Resources, 411 N Fifth St, Shelton

Financial Services Department

2010 BUDGET TRANSFER APPROVED by BOCC

FUND NUMBER	BARS LINE	Amount	Description/Reason
To +	001-057-000	10,000.00	Transfer to Professional
From -	001-320-000	(10,000.00)	Services from Fund Balance
To +			
From -			
To +			
From -			
To +			
From -			
To +			
From -			
To +			
From -			
To +			
From -			
To +			
From -			
Reason for Adjustment: Contract negotiations			
Date of Request: 11-9-10			
Authorizing Signature(s): <i>T. S. Shuler</i> <i>Tom Dalbey</i> <i>Stephanie King</i>			

County Budget Transfers to be submitted to Theresia