

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

March 1, 2011

1. Call to Order – The Chairperson called the regular meeting to order at 9:00 a.m.
2. Pledge of Allegiance – Mr. Ward led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Lynda Ring Erickson; Commissioner District 2 – Tim Sheldon; Commissioner District 3 – Jerry Lingle.
4. Correspondence and Organizational Business
  - 4.1 Correspondence
    - 4.1.1 Jerry and Jill Otto wrote about concerns they had regarding the Squaxin Island Indian Tribe's intent on placing several properties into Federal Land Trust.
    - 4.1.2 Sharon Fogo wrote supporting the request of the County Clerk for additional funding.
  - 4.2 Karen Jackson presented a thank you letter from Doug Haskins to Bonnie Cap. Chair Ring Erickson presented a Green Star award to Bonnie, which is presented when an employee receives an unsolicited thank you from an outside source.
5. Open Forum for Citizen Input –
  - 5.1 Bob Burbridge, Fire Chief Association, reported they have had 11 firefighters complete the national certification training at the newly established Mason County Fire Training Consortium Recruit Academy, which includes Fire Districts 4, 6, 9 and 11. He introduced three of new firefighters: Cody Daggett, FD #6; Abbey Vandermeij, FD #11; and Garrick Saunders, FD #4.
  - 5.2 Patricia Vandehey stated she attended a Thurston County Commission meeting regarding their moratorium on biomass construction allowing them time to study the issue. Ms. Vandehey believes this is the correct way to deal with biomass facilities.
6. Adoption of Agenda - **Cmmr. Sheldon/Lingle moved and seconded to adopt the agenda as published with an item added under Item 10 from Cmmr. Sheldon. Motion carried unanimously. RE-aye; S-aye; L-aye.**
7. Approval of Minutes – February 22, 2011 regular meeting minutes.  
**Cmmr. Sheldon/Ring Erickson moved and seconded to approve the February 22, 2011 regular meeting minutes. Motion carried unanimously. RE-aye; S-aye; L-abstain.**
8. Approval of Action Agenda:
  - 8.1 Approval to appoint Stephanie Neil to the Mason County Historic Preservation Commission for the balance of the three-year term vacated by Llyn De Danaan, ending in November 2012.
  - 8.2 Approval to award a contract in the amount of \$940 to the Wetlands Corps of Belfair to complete a Habitat Management Plan for Latimers Landing Parking Expansion Project. Contract to be funded by State Boating Facilities Grant and REET II Capital Funds.
  - 8.3 Approval of the Veterans Assistance Fund applications for: Jeff Hansel-Food \$200.00; Michael Wayne Jobb- Utilities \$600.00; Billee C. Ralstin (Ronald) Utilities \$365.27; Scott E Kaylor- Utilities \$195.69; George Valent- Utilities \$92.78 for a total of \$1,453.74 as recommended by the Veterans Assistance Screening Committee.

**Cmmr. Lingle/Sheldon moved and seconded to approve Action items 8.1 through 8.3 as published. Motion carried unanimously. RE-aye; S-aye; L-aye.**

Prior to holding the hearings, Cmmr. Sheldon brought up marijuana dispensaries under Item 10.1.

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

- 9.1 Tabled from February 1, 2011 - public hearing to consider a \$15,350 budget transfer to the 2011 budget for District Court from Current Expense Ending Fund Budgeted Balance for Court Commissioner.

Patsy Robinson, District Court Administrator, stated the supplemental request was submitted with the 2011 budget request and would be used for a court commissioner to handle the domestic violence and anti-harassment petition protections on a unified basis with the Superior Court Commissioner. The funds would be used to cover 4 to 5 hours per week, which they believe will improve public safety and enhance their security. If this is granted, they may need to transfer funds from the court commissioner budget line to the pro tem budget line because a pro tem is not required to reside in Mason County. District Court is at approximately 1.7 FTE judicial personnel with one judge. Their hope is the court commissioner would also be able to cover additional District Court hearings. She stated they understand if the funds are not available, however they feel this is an enhancement to the public safety within the courthouse.

There was no public comment.

Cmmr. Sheldon commented on the statement that this would be an enhancement to the public safety. He questioned that if in this tough budget time, is this a priority item. He is reluctant to approve the budget transfer given the fact Mason County is just two months into the 2011 budget year.

Cmmr. Lingle echoed Cmmr. Sheldon's concerns. He looks at this as a position of necessity. From what he can read in the budget, Mason County is projected to spend about \$726,000 more than anticipated in revenue because of the economic situation. He noted Ms. Robinson talked about Superior Court and District Court working together and questioned whether there is budget available in the Superior Court's budget.

**Item died due to lack of action.**

- 9.2 Tabled from February 1, 2011 - public hearing to consider a \$25,125 budget transfer to the 2011 budget for the Clerk's Office from Current Expense Ending Fund Budgeted Balance for salaries/benefits.

Pat Swartos, Clerk, presented the history of her requests for a supplemental budget request for staffing. She noted that \$729,000 was receipted through her office and she has submitted the workload statistics for her office. The staff person that this budget transfer would be for was partially funded, in the past, by Auditor O&M funds for archival of records. An efficiency study was performed and submitted to the Commissioners that shows the mandated services are performed in the Clerk's office but it is a struggle to keep up with the workload. Her staff performs many other functions besides attending court hearings. Ms. Swartos requested the budget transfer be granted.

Cmmr. Sheldon asked if the person conducting the efficiency study interacted with the court system.

Ms. Swartos stated she attended two court hearings and interacted with all her staff. She did not meet with the judges or county commissioners.

The staffing levels in the Clerk's office for 2007 was 11.5 FTE; in 2008 11.5 and at end of 2009 staff was reduced to 8 FTE. In 2010 staff increased to 9 FTE.

Public comment-

Judge Sheldon stated she was not present when the efficiency study was done. She noted that in the efficiency study it notes the statewide average for Clerk staff per judicial officer is 3.44 and the ideal is



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considered 4 to 1. Mason County currently has a ratio of 3 to 1 and the loss of the 9<sup>th</sup> person would reduce the ratio to 2.67 to 1. It appears the Clerk's office is understaffed. If this is not resolved today, Judge Sheldon recommended the matter be tabled to allow time to interact with the efficiency study. She asked the Board to approve the budget transfer.

Cmmr. Sheldon stated he had hoped there had been a conversation with the judicial staff and the person performing the efficiency study. The ratio numbers are interesting. He noted Mason County is still looking at serious budget issues. He would like more information and would like to bring the issue up after there is a more formal recommendation from the judges.

Cmmr. Lingle looks at this as a litmus test. He understands the understaffing issue but there is not a Mason County department who is not working understaffed. He does not feel the litmus test has been reached, it is not an unforeseen expenditure and it is not an emergency.

**Cmmr. Lingle/Ring Erickson moved and seconded to deny the budget transfer to the Clerk's office in the amount of \$25,125. Motion carried unanimously. RE-aye; S-aye; L-aye.**

Cmmr. Ring Erickson spoke to the motion. She quoted Cmmr. Sheldon in saying that government is changing and things are not going to get bigger. The public has been very clear they do not want a growth in the bureaucracy.

Cmmr. Sheldon appreciates the Commissioners' positions and although he would like the issue revisited, he will vote in favor of the motion.

9.3 Continuation of hearing from 12/21/2010 on Implementation of 1/10<sup>th</sup> of 1% Sales Tax for Mental Health/Substance Abuse Prevention and Treatment Services and Therapeutic Court. Recommendation for Community Process.

Cmmr. Sheldon noted at the 12/21/10 hearing the Board made the motion to continue the public hearing to March 1, 2011 to further discuss the issue, with a follow up hearing on June 28, 2011, with no action to be taken before June 28, 2011. He looks forward to having further discussion on the issue but he has to leave this hearing to attend the legislature. Cmmr. Sheldon left the meeting at 10:04 a.m.

Vicki Kirkpatrick, Health Services Director, reviewed the process to date. On December 21, 2010 the Mason County Commissioners held a hearing regarding the one tenth of one percent sales tax for mental health/substance abuse prevention and treatment services and therapeutic court. At that time staff spoke to the impacts of mental illness and substance in Mason County in terms of both human suffering and cost to society resulting from a lack of adequate services. They expect there may be some state reductions in funding and even if funding stays the same, the service availability declines as we have more people who are in need of services.

She reviewed statistics of the impact of substance abuse:

- An estimated 80% of crimes are associated with substance abuse
- 60-80% of emergency room care involves the impacts of alcohol or drug abuse
- 50% of homeless adults have a substance abuse disorder (the annual Mason County Homeless grant reveals that alcohol is one of the two top causes of homelessness in Mason County.
- 75% of traffic fatalities in Mason County are alcohol related.
- An estimated \$429 for each man, woman, and child in Washington was spent by the State on the consequences of substance abuse in 2005. Of each dollar spent, 85 cents was spent on the consequences of substance abuse – mostly health and criminal justice expenses – and only 4 cents was spent on treatment and prevention. This does not include the additional taxpayer burden for

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federal or local budgets. Nor does it include the future costs associated with the impacts on families and children

Treatment works and saves money:

- Only one in four eligible low-income teens get the substance abuse treatment they need. In Mason County in 2010, 21.37 per 1000 Mason County youth ages 10 – 17 are in state-funded alcohol/drug services compared to 10.75% per 1000 statewide underscoring the greater impact in Mason County.
- The Washington Division of Alcohol and Substance Abuse has ample evidence that medical, incarceration, and other public service costs decline when people with substance abuse disorders get treatment. Medical costs savings alone for people in treatment are an average of approximately \$250.00 per person per month. Research indicates that the cost of treatment services is more than offset by the savings in other public systems.

Mental Health:

- 50% of students ages 14+ who have a mental disorder drop out of high school. This is the highest dropout rate of any group.
- Mental disorders are the leading cause of disability in the United States for ages 15-44.
- 20 – 25% of homeless adults are affected by serious mental illness
- Over half of adults in jails and prisons have a mental disorder
- 65% of girls and 75% of boys in juvenile detention have a least one mental disorder.
- Without resources to help persons with mental disorders achieve and maintain stability, people get "stuck" in repetitive involvement with the criminal justice system, lack of education, lack of job skills, and increased medical costs. People with mental disorders on average live 25 fewer years.
- In 2008, 9.8% of Mason County 10<sup>th</sup> Graders reported attempting suicide in the past 12 months (compared to 8.9% statewide)
- Between 2007 and 2008, 15% of Mason County adults reported 14 or more days of poor mental health (compared to 10% statewide)
- Almost 1/3 of Mason County youth report not having an adult to talk safely about something important
- Mason County has 30% more Child Protective cases and 20% more reported domestic violence cases than the statewide average.
- Depression cost U.S. employers more than \$35 billion a year in reduced performance at work.

Co-occurring disorders describe a situation in which a person is affected by both mental illness and substance issues at the same time.

- About 45% of people with a mental disorder also have substance abuse issues which have traditionally been treated as distinct and separate issues. However, co-occurring disorder services that address both substance abuse and mental health issues better serve client needs and more efficiently and effectively utilize limited public funds.
- Only 12% of persons with co-occurring disorders receive integrated treatment
- 52% of persons with co-occurring disorders receive no treatment at all.

Ms. Kirkpatrick then reported on Therapeutic Courts. For many people with substance abuse and mental health disorders, jail and prison have a revolving door. The recidivism rate for offenders in Washington State prisons is 62%. Therapeutic courts, specifically drug courts, were developed following the Sentencing Reform Act of the mid-1980's, which decriminalized property felonies. At the same time there was an explosion in drug trafficking, use, possession and manufacturing crimes which created a huge burden on the court system and resulted in a strain on capacity in county jails and state prisons. Searching for an effective solution, people from the court, public defender, treatment, and law enforcement communities started to look into the options of establishing an alternative court system.



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Drug Court is part of the Mason County Superior Court system. Mason County juvenile justice professionals have expressed an interest in establishing a dependency drug court. The benefits of drug court are:

- Cost effectiveness: Drug Court programs are less expensive than long-term incarceration
- Benefits for families and children: The impact of drug court will be seen by its effects on families
- Criminal justice resources will be freed up for use against violent and other serious criminal cases.

Dependency Courts: These courts are designed for the intense judicial supervision, coordination, and oversight of treatment provided to parents and families who have substance abuse or mental illness problems and who are involved in the dependency. Dependency Courts are designed to achieve a reduction in:

- Child Abuse and Neglect
- Out of home placement of children
- Termination of parental rights; and
- Substance abuse or mental health symptoms among parents or guardians and their children

The financial impact of one tenth of 1% sales and use tax equals:

- One penny on a \$10.00 purchase
- One dime on a \$100.00 purchase
- If you spend \$20,000 a year on taxable items, your total additional cost from this tax will be \$20.00 per year.
- Because this is a sales tax, the many tourists and visitors to Mason County will share the cost for services that directly benefit our citizens, families, businesses, schools, hospitals, and the criminal justice system and have the longer-term potential to reduce overall costs.
- If you shop in our neighboring counties of Thurston, Jefferson, or Grays Harbor Counties, or if you occasionally shop anywhere in King County, you are already paying the tax. The difference is that you are paying the tax for services addressing mental illness, substance abuse and therapeutic courts that are provided to the residents of those counties while the societal and financial costs in Mason County, lacking those services, continue to increase, and you are paying the cost of those increases as well.
- Since the original report was created last December, two more counties have implemented the tax so the number of counties with the tax is now 15.

Ms. Kirkpatrick recommended the Board engage in a community process that will lead to a recommendation to the Board of County Commissioners on whether or not to consider the 1/10 of 1% Sales Tax for Mental Health, Substance Abuse and Treatment and Therapeutic Courts by July 31, 2011.

- Appoint a Mental Health/Substance Abuse Task Force that will:
  1. Identify and review current mental illness/substance abuse services – public and private.
  2. Determine the gap in services due to lack of insurance and reductions in Medicaid services.
  3. Determine the gap in services due to lack of providers.
  4. Review cost drivers for mental illness and substance abuse issues in the criminal justice system.
  5. Identify and review best practices and evidence-based prevention and treatment services.
  6. Design fund allocation system that assures fairness and cost effectiveness.
    - Include identification of specific deliverables, an effective reporting system and an evaluation/quality improvement component that results in an annual report to the citizens of Mason County that focuses on the services delivered and the efficacy of those services

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7. Design a seamless working partnership between law enforcement, courts, schools and providers.
8. Develop and implement a communication plan for Mason County including, but not limited to: community meetings, association/organization presentations, new articles, etc.
9. Include, as a minimum, the following representation on the Mental Health/Substance Abuse Task Force:
  - County Commissioner/ Board of Health Representative
  - Superior Court Judge
  - Mason County Sheriff
  - School Superintendent
  - Thurston-Mason RSN Director
  - Citizen from each of the three Commissioner Districts
  - City of Shelton Commissioner
  - School Youth Counselor
  - Youth Representative
  - Juvenile Justice Representative
  - Executive Director – Behavioral Health Resources
  - Private Mental Health Provider
  - Mason County Public Health Director
  - Executive Director, Mason Matters
  - Public Hospital Districts 1 & 2 representatives
  - Business Representative
  - 3 at large members
  - Others may be considered and/or invited to participate on subcommittees as the Task Force deems appropriate
10. Currently there is approximately \$42,000 in the Mason County Mental Health Fund. To effectively carry out the charge of the Task Force, a facilitator and support is important. Ms. Kirkpatrick recommended that a portion of these mental health fund resources be used to hire a facilitator to manage the Task Force process including setting meetings, facilitating meetings, providing background materials to support the work of the Task Force, carry out, as needed, necessary tasks between Task Force meetings, as well as writing the final report to the Commissioners. A Request for Proposals process could be used to solicit proposals for the facilitation and Task Force support work.

Ms. Kirkpatrick referred to the original report that submitted to the Commissioners in December that has additional information on the financial, human and the community impact of mental illness, substance abuse and lack of adequate services.

Melody Peterson asked why is there so much substance abuse in Mason County.

Ms. Kirkpatrick answered that she doesn't have specific information as to why but is willing to guess one of the risk factors for mental health and substance abuse is poverty and low income. The stresses of not having enough income to support a family can cause people to self medicate. Mason County has a high number of low paying jobs. She noted that sometimes it is a generational issue and if you grow up in that culture, you may continue that culture. Regarding mental health, a person may have no control over the condition but the lack of resources doesn't help the situation.

Ms. Peterson asked if mental health and substance abuse has actually increased or is it just more open now.



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Ms. Kirkpatrick stated she can't answer if it has increased, but even if it has stayed the same, there would be more because our population has increased. There is more attention being paid to it and we have learned a lot more about the diseases and what works. The problem is the lack of access to services. There is also the business end of drugs and there is money to be made. The costs associated with the abuse continue to escalate and more resources are needed.

It is estimated that 1/10 of 1% would generate about \$500,000 a year.

Tom Davis questioned whether it is necessary to hire a task force manager. Why would this not go under Public Health.

Ms. Kirkpatrick stated that mental health and substance abuse is not part of the Public Health Department and currently all social services programs are run through Thurston County. It comes down to resources and she does not have staff to work on these programs. If she is directed to work on this, it would have to be decided what program is not going to be done.

Cmmr. Ring Erickson commented that public attitudes have changed, particularly on drinking and driving. She has tried to find staff to work on this for four years and staff has had no additional time to work on it.

**Public Comment –**

Mary Jean Hrbacek feels strongly those that have mental health issues are stigmatized. She wants to make sure the taxpayers receive the right services, at the right place and the right time. The Mason County jail has a contract with Thurston County and the county pays \$960 a quarter for mental health services in the jail and that is paid from the mental health fund. The contract she found is from some time ago and she understands the Treasurer transfers the tax collections to Thurston County. She has researched the issue. She would like to see figures on the services Mason County receives. She is happy to help put together paperwork for grants, especially for drug court. She supports the program but wants to make sure it is done correctly.

Cmmr. Ring Erickson noted that the Commission does receive updates from Thurston County on services provided. She referred to information that has been provided by Ms. Kirkpatrick that may answer some of Ms. Hrbacek's concerns.

Tom Davis stated he is excited about the plan. Any time you invest in prevention as opposed to chasing the problem, it is money well spent. He was involved in drug rehab house in the past and it was a very rewarding experience. He feels people who come out of this situation become a better citizen. He agreed the money needs to be accounted for and a committee would best address the issues. The only exception he has is with hiring a task force coordinator and asked that this be looked at. He supports the tax.

Ross Gallagher stated that late last summer this was portrayed as a new item but it has been on the books a long time. The legislature gave the counties the opportunity to enact the tax. He was aware in 2008 the Commissioners could pass the tax and the money would be available in 2009. In 2009 and 2010 he attended the RSN meetings and there is only one Mason County citizen who sits on the RSN board. The task force would be a unique opportunity for citizens to be involved and understand mental health. He stated time is the urgency and if the county waits until June, it would not be on the August primary, although it would qualify for November general election. This also means there would not be any funds in 2011 for this program. Money would not be collected until 2012 for a program in 2013. There is an urgent need in Mason County for this and he urged the Board to act before June as a Commission or allow it to be on the August ballot for a vote of the people.

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Jeannette Boegle supports the tax. She was a social worker and saw how mental health and substance abuse impacts people. Programs have been reduced and it is a disgrace to see people suffer who could be helped. She asked whether a volunteer could be used for the task force rather than hiring a coordinator. The problem needs resolution and this would help.

Steve Bloomfield also supports the tax. He sees it as actually reducing costs.

Cmmr. Lingle agrees with what has been said. He understands the problem and attended the Thurston County mental health meeting. Social media allows for anyone to get on the Internet and learn how to make metamphetamine. This program has to be supported and cautioned that this is the tip of the iceberg. He believes we should have a task force and a leader that knows where the money is going and how it is spent. Mason County needs distinct direction and he urged people to be involved.

**Cmmr. Lingle/Ring Erickson moved and seconded to create a Mason County Mental Health/Substance Abuse Task Force. Motion carried unanimously. RE-aye; S-absent; L-aye.**

Cmmr. Ring Erickson stated that unfortunately the largest mental health facilities in many counties, is the county jail. She ran for county commissioner because she had a family member who had mental health issues, had been in Western State Hospital, was released and ended up living on the street. She was helped by a county commissioner to place her into a local facility that helped her. Cmmr. Ring Erickson has also worked as a division head at Western State Hospital. The reality is some people need help and they would have a better quality of life. We don't need to duplicate and not necessarily expand services but give the necessary level of care. She would like to see what we have, what we are paying for, what it does, what the real needs are, and maybe some things need to be added.

The Commissioners, will, in briefings, work to craft a thoughtful process and Cmmr. Ring Erickson encouraged anyone who wants to be involved to let the Commissioners' office know.

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

10.1 Cmmr. Sheldon brought up medical marijuana dispensaries in Mason County. There is a bill before the legislature this year that would allow counties to set reasonable standards for this industry. There are currently two medical marijuana dispensaries in Belfair and one in Potlatch and several others are planned. Zoning in Mason County is a matrix type of zone that says what types of business are approved. No where in those matrixes are marijuana dispensaries. Cmmr. Sheldon would like to enact a moratorium and set a public hearing within 60 days to hear from the public. This would not prohibit existing businesses. As Cmmr. Sheldon understands, the initiative would allow a person with a prescription to grow marijuana for their own use or a caregiver could grow for one person they are caring for. He suggested a six-month moratorium on new dispensaries.

Cmmr. Lingle stated this issue was discussed yesterday and he would be interested in what the public has to say. He would like to move on the side of caution and have it reviewed by legal staff. He would like a task force put together that would have input from the Sheriff, Prosecuting Attorney, and public.

Cmmr. Ring Erickson noted the initiative was passed in 1998 and in all the comprehensive plan updates, this issue has never been brought up. She agrees with Cmmr. Lingle to look at the issue. She would like to research this further but is not ready to take action today.

Cmmr. Sheldon stated he talked to Deputy Prosecuting Attorney Tim. Whitehead who stated he believes it is a Commissioner decision; the prosecuting attorney's side is to prosecute those who break the law. Cmmr Sheldon feels it is prudent to enact a moratorium while the issue is researched. Cmmr. Sheldon



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also discussed this with Kathy Buckley, an attorney at Washington State, who thinks a moratorium would be prudent and not illegal.

**Cmmr. Sheldon moved to enact a 90 day moratorium on the permitting or siting of medical marijuana dispensaries throughout Mason County to allow time to look at land use, legal issues and listen to the public comments and hold a public hearing within 60 days. Motion died due to lack of a second.**

10.2 Sheriff Salisbury announced that the Sheriff Advisory Council meeting is Thursday, at Spencer Lake Resort. The speaker is Tom Haugen, Chief at the Mason County Jail.

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 10:55 a.m.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
Lynda Ring Erickson, Commissioner

  
Tim Sheldon, Commissioner

ATTEST:

  
Shannon Goudy, Clerk of the Board

  
Jerry K. Lingle, Commissioner