

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

June 14, 2011

1. Call to Order – The Chairperson called the regular meeting to order at 9:00 a.m.
2. Pledge of Allegiance – Bob Burbridge led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Lynda Ring Erickson; Commissioner District 2 – Tim Sheldon. Absent: Commissioner District 3 – Jerry Lingle.
4. Correspondence and Organizational Business
 - 4.1 Correspondence - None
5. Open Forum for Citizen Input –
 - 5.1 Patricia Vandehey commented on the Mason County Clean Water Program. She noted that information regarding the county's aquifers has not been addressed. She was also concerned about the enforcement of the rules and regulations that are already in place. She provided a copy of her statement for the record.
 - 5.2 Ken VanBuskirk stated that he has served on the Belfair Sub Area Planning Committee and the Planning Advisory Committee. He has a passion for conserving land. He has been following the Pacific Northwest Salmon Center project for over nine years. It started as the focal point of the Sub-Area Plan. It was located on commercial land inside the Urban Growth Area and it is now located on agricultural resource land outside of the UGA. He understands the Washington Department of Wildlife and the Pacific Northwest Salmon Center met with the Department of Community Development. He asked to attend the meeting, but wasn't told about it. They are now seeking funding and permitting to dig up a legacy farm, which is zoned as a cultural resource land. He believes this is in conflict with Ordinance 73-07 and it is outside of the Salmon Center's special use permit. There has been a clear lack of public process on the matter. He plans to attend the next Hood Canal Coordinating Council meeting to present his white paper on the subject. He provided the Board with a copy of his paper.
6. Adoption of Agenda - **Cmmr. Sheldon/Ring Erickson moved and seconded to adopt the agenda as published. Motion carried unanimously. RE-aye; S-aye; L-absent.**
7. Approval of Minutes – May 16, 2011 and June 6, 2011 briefing meeting minutes; correction to the December 6, 2010 special meeting minutes, page 3, paragraph 12, change the word "isn't" to "is".
Cmmr. Sheldon/Ring Erickson moved and seconded to approve the May 16, 2011 and June 6, 2011 briefing meeting minutes; and the correction to the December 6, 2010 special meeting minutes, page 3, paragraph 12, changing the word "isn't" to "is". Motion carried unanimously. RE-aye; S-aye; L-absent.
8. Approval of Action Agenda:
 - 8.1 Approval of Modification of Agreement 11-LE-11060900-009 between Olympic National Forest and Mason County Sheriff's Office to clarify what days the deputies are to patrol the Olympic National Forest lands within Mason County. They will provide coverage on Friday, Saturday, Sunday, and Holidays from Memorial Day Weekend to Labor Day Weekend with planned routes of patrol making them more visible after sunset.
 - 8.2 Approval of the General Terms and Conditions Agreement between the Department of Social and Health Services (DSHS) and Mason County for the period of July 1, 2011 through June 30, 2017. This contract governs the individual program agreements between the county and DSHS.

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- 8.3 Approval of Amendment No. 1 to Department of Ecology Grant G0800617 for the Belfair Sewer Project to change the project completion and grant expiration dates to December 15, 2011.
- 8.4 Approval for the Chairperson to sign the Cooperative Use Agreement with Fire Protection District No. 6 for the use of Mason County fuel facilities.
- 8.5 Approval to designate Robert Deans as the Mason County Adobe Agency Coordinator, Ben Ramsfield as Backup Coordinator and authorize the Chairperson to execute the Adobe Products Purchase Agreement with the Washington State Department of Information Services.
- 8.6 Approval of Amendment No. 7 to the professional services agreement between CH2M Hill, Inc. and Mason County for additional support for the Belfair Wastewater Facilities. This increases the agreement by \$1,583,710, is the final payment and covers all costs to certification of the plant.
- 8.7 Approval of the resolution approving the sale of the real property located at E. 161 Midway Lane for \$5000 cash. This property was declared surplus in 2010 by adoption of Resolution 33-10. **Resolution No. 35-11 (Exhibit A)**
- 8.8 Approval of the agreement for the Washington State Water Pollution Control Revolving Fund Loan No. L1100013/L11S0013 between the Department of Ecology and Mason County for the Belfair Wastewater and Water Reclamation Facilities. The total loan amount is \$3,758,356 at a rate of 2.8% for a 20-year loan term. Of this amount \$616,500 is a Forgivable Principal Subsidy for Green Project reserves and is not required to be repaid. Also approval to sign the signature authorization form.
- 8.9 Approval of the Extension of Interlocal Agreement for Fire Investigation Services between Mason County and Mason County Fire District Five. This extension shall terminate on July 31, 2011 and there is no cost to the County.

Steve Bloomfield asked if the cost to increase Sheriff patrols under item 8.1 would be paid by the Forest Service.

Sheriff Salisbury responded that it would.

Cmmr. Sheldon noted that the Forest Service is installing fencing to keep people from going below the Steele Bridge.

Cmmr. Sheldon/Ring Erickson moved and seconded to approve Action items 8.1 through 8.9. Motion carried unanimously. RE-aye; S-aye; L-absent.

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

- 9.1 Public hearing to consider revising the monthly sewer rates and system connection charges for the North Bay/Case Inlet Sewer System.

Emmett Dobey, Utilities and Waste Management, explained that the monthly sewer rates and connection charge fees are annually reviewed. The review is based on the Bremerton Consumer Price Index and rates may be raised to that point following a public hearing. This year's CPI for the Bremerton area is 0.3%, which equates to a \$0.30 increase in the monthly rate and a \$29 increase in the connection charge. It will bring about \$6,000 additional into the fund. A major pump station improvement is planned for September of this year.

There were no questions for staff or public testimony.

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Cmmr. Sheldon/Ring Erickson moved and seconded to approve the resolution revising the monthly sewer rates and system connection charges for the North Bay/Case Inlet Sewer System. Motion carried unanimously. RE-aye; S-aye; L-absent. Resolution No. 36-11 (Exhibit B)

9.2 Public hearing continued from May 17th to consider amending the Mason County Parks and Trails Department Fee Schedule to include Boat Launch Fees at Latimers Landing County Park and Mason Lake County Park.

The Parks Director was absent so Commissioner Ring Erickson read aloud the proposed fee schedule and ordinance.

Questions for Staff

Tom Davis understood that some sizable grants were secured for the Parks department. He wondered if the grants would change this proposal in any way.

Cmmr. Ring Erickson replied that the new construction at Latimer's Landing was grant funded.

Cmmr. Sheldon added that he felt that both boat ramps were the "Cadillac" boat ramps in the county and he saw this proposal as implementing fees to polish the chrome on the Cadillacs.

Connelly Watson asked if there has been a conclusion as to whether this is considered a fee or tax.

Cmmr. Ring Erickson responded that the Prosecutor's legal opinion is that it is a fee.

Tom Moore noted that he lives at Mason Lake and he is assessed an annual weed control fee. He asked if these fees would also address weed control.

Cmmr. Sheldon stated that if the fee went directly to take care of weeds it would be considered a tax.

Cmmr. Ring Erickson thought it could be used to remove weeds around the launch area.

Steve Bloomfield stated that his company is one of the largest users of the Latimer boat ramp. The grant for that ramp is for recreational use. During busy times they have to use the overflow parking. He asked if implementation of this fee would make his company a primary user of the launch.

Cmmr. Ring Erickson wasn't sure if this would change the parking practices.

An audience member asked how much maintenance is done at Latimer's Landing.

Cmmr. Ring Erickson replied that staff goes out at least twice per week during the summer.

An audience member asked what the County does for maintenance.

Cmmr. Ring Erickson explained that they pick up garbage and glass. They have also done the grading since the new dock went in.

An audience member asked how the fee would be enforced.

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Cmmr. Ring Erickson responded that an iron ranger system was suggested.

An audience member asked if the funds would go into the general fund.

Cmmr. Ring Erickson stated that Mr. Keates intended to return the money into maintaining the boat launches.

An audience member asked how the fees would be enforced.

Cmmr. Ring Erickson wasn't sure but noted that Mason Lake has a full time camp host.

An audience member asked if there is a way to make sure boat launch fees aren't considered again in the future.

Cmmr. Ring Erickson explained that there is very little that the Board can do about what comes before them. They just have to deal with the business that comes before them each year.

Public Testimony

Ken Latimer testified that about thirteen people are present who worked on the original installation of the boat launch at Latimer's Landing. His father had a dream of providing access to the water for everyone regardless of their income. He organized about 50 people to work on the project. The whole boat ramp was installed with donated labor and materials. They were proud that they were able to do this without cost to the taxpayers. As his father was dying he made it clear that he never wanted people to be charged for this. It is important that access to the water remains free. He realizes that not much is left from the original dock but he still thinks the access is a blessing for everyone. He has met with the Parks people at the ramp and has volunteered work parties at the ramp. The way that it is currently built not much can happen to it. It would be a terrible precedent to let go of such a gift.

Steve Bloomfield, Seattle Shellfish, stated that his company is a large user of the Latimer boat launch. He appreciates it and it is a first class facility. However, his company is treated like second-class citizens because they are not allowed to park in the regular parking. It costs them about an additional hour and half in man-hours per boat, per day. He would like the commercial users to be primary users instead of secondary users if this fee is passed. It should be first come first serve.

Susan Baker commented that the thinking of the Parks Advisory Board was that commercial use can dominate the launch area so that is why there was an agreement made. She stated that in the past she was staunchly against any fees paid by the public but she has read that tax money isn't being used for parks anymore. Parks is the first department to get cut. Since money isn't coming from the government anymore there are fees. The parks that are expensive to maintain are something that people can contribute to. Parks are being closed all over the country or being sold out in order to be preserved. Maintenance of parks also needs to be addressed. She prefers to call this a donation.

Steve Latimer stated that originally there was no commercial use at Latimer's landing. The commercial boats are very efficient but there needs to be adequate room for the public who don't know how to launch boats as easily. Having commercial use there is a privilege and the overflow parking isn't that far away. He also noticed that several of the tie downs are already broken and a part of the float is already damaged. He believes it is from commercial use.

Bill Bingham commented that it irritates him to think about paying for a public facility that he helped move the dirt for. The biggest problem he has seen with commercial use is the time it takes to unload their baskets. There needs to be ample room for the public.

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Kathy Beaudoin spoke about the issue from the perspective of a parent. She stated that there is not a lot for the kids to do in the community. She can afford to pay for this but her kid's friends might not be able to afford it. There is a lot of poverty in the area and this would also affect the elderly. It would hurt the people who need it the most.

Monte Ritter testified that he is for the fees because he doesn't live close to the water. Sometimes he has to go all the way to Swantown to get a decent boat launch. The people who live close to the facilities wouldn't want any fees but the rest of the people want to be sure they are getting a Cadillac facility that has been maintained. He would pay a few dollars to put his boat in the water to make sure the facility is secure and well maintained.

Tom Davis commented that he had a boat for 40 years and it made the work week worth it when he was able to launch his boat and have a few hours to himself to fish. When you have a couple of days off to go down to the boat launch and relax you don't want the government with its hand in your pocket. This is an unreasonable fee and he thinks it should be denied.

Cmmr. Sheldon stated that he felt strongly about the issue. There has been great testimony and Latimer's Landing is a legacy boat launch. Trying to collect fees is very difficult. These fees could also be very high for a business. A larger company may be able to afford this but it would be a big expense for a start up business. He agrees that this should be a free activity. This activity is paid for with property taxes and sales taxes. The County should do everything it can to keep these ramps free.

Cmmr. Ring Erickson appreciated that the community spent a lot of time installing the old dock at Latimer's Landing. The old dock blew away in a storm and the County would have had a lot of liability if they reinstalled it. Mr. Keates received a lot of grant money to replace it and purchase additional property for the park. One of her reasons for voting against this is that to protect the waters it is asked that docks and floats on the shorelines be kept at a minimum. Having appropriate and safe access to the water at one point minimizes the negative impacts to the shoreline. She also noted that the improvements at Latimer's Landing have also allowed the disabled to enjoy the waterways in a way that they weren't able to before.

Cmmr. Sheldon/Ring Erickson moved and seconded to deny the ordinance amending the Mason County Parks and Trails Department fee schedule to include boat launch fees at Latimer's Landing and Mason Lake County Park. Motion carried unanimously.
RE-aye; S-aye; L-absent.

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

- 10.1 Bob Burbridge, Fire District 5, invited the Commissioners to honor Richard Knight at his upcoming retirement reception.
- 10.2 Bob Simmons, Mason County WSU Extension, announced that the Extension office is holding interviews for a new Youth Development Specialist to handle 4-H services and other duties.

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 10:14 a.m.

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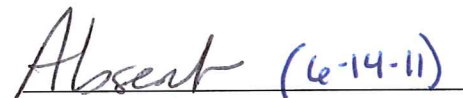
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Lynda Ring Erickson, Chair


Tim Sheldon, Commissioner

ATTEST:


Shannon Goudy, Clerk of the Board


Jerry K. Lingle, Commissioner

RESOLUTION NO. 35-11
APPROVAL OF SALE OF REAL PROPERTY

WHEREAS, Mason County owns real property located at E. 161 Midway Lane, in the replat of Shorecrest, legally described in Exhibit A, attached hereto; and

WHEREAS, said real property is tax title property and was declared surplus to the needs of the County by a resolution of the Board of County Commissioners; and

WHEREAS, said property was offered for sale through a sealed-bid auction in 2010, which process did not yield any bids; and

WHEREAS, the property has been continuously listed for sale since the sealed-bid auction on the County's website; and

WHEREAS, an offer to purchase the property for the sum of Five Thousand Dollars has recently been received; and

WHEREAS, the Property Manager recommends the sale of the property at the offered price on the basis that the price exceeds the taxes, penalties, interest and expenses of foreclosure owed; it will restore the property to the tax rolls; it will relieve the County of ownership of unproductive property; and it will avoid the continued costs and liability of property ownership and management; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the County to sell the property for the offered price for the reasons cited above.

NOW, THEREFORE, BE IT RESOLVED by the Mason County Board of Commissioners that the sale of the real property described in Exhibit A is approved at the price of Five Thousand Dollars, free and clear of any assessments for violations of the Sanitary Code by the previous owner; and

BE IT FURTHER RESOLVED, that the Property Manager is authorized to sign the related Bid Form and Purchase and Sale Agreement and the Chair of the Board of County Commissioners is authorized to sign the deed.

DATED this 14th day of JUNE, 2011.

ATTEST:

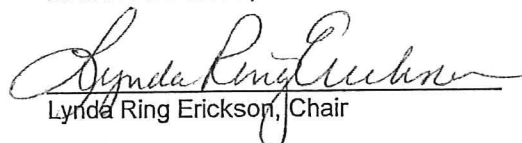

Shannon Goudy, Clerk of the Board

APPROVED AS TO FORM:


Chief Deputy Prosecuting Attorney

Assessor
Auditor
Treasurer
Property Manager

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Lynda Ring Erickson, Chair


Tim Sheldon, Commissioner

ABSENT
Jerry K. Lingle, Commissioner

Exhibit A

EXHIBIT A
LEGAL DESCRIPTION

Lot Thirty-six (36), Block Two, replat of a portion of Jacoby's Shorecrest Addition, Volume 5 of Plats, page 68, records of Mason County, Washington.

Tax Parcel Number: 32021 53 02036

RESOLUTION NO. 36-11

A RESOLUTION relating to revising the monthly sewer rate schedule charges and system connection charges for the North Bay/Case Inlet Sewer System.

WHEREAS, Resolution No. 146-08 established sanitary sewer user fees for the North Bay/Case Inlet Sewer System;

AND WHEREAS, Section 1.02 of Resolution No. 146-08 calls for an annual review of user fees based on the Bremerton Consumer Price Index (CPI);

AND WHEREAS, Section 1.03 of Resolution No. 146-08 calls for an annual review of system connection charges based on the Bremerton CPI;

AND WHEREAS, The Bremerton CPI for 2010 was .3%

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS of Mason County, that Section 1.02 and Section 1.03 of Resolution No. 146.08 be revised to reflect the CPI change.

Section 1.02 Monthly User charges

Residential customers: Each residential customer shall pay a monthly user charge as follows:

- | | |
|---|-------------------|
| a) Single Family Dwelling (includes each unit in a condominium) | \$95.30 |
| b) Duplex | \$133.40 |
| c) Triplex | \$201.00 |
| d) Installed grinder pump on vacant lot | \$68.70 |
| e) Multi-Family | \$66.70 each unit |

Section 1.03 Connection Fees

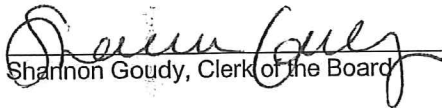
Residential Customer examples:

- | | |
|---|--------------------|
| a) Single-Family including each Unit in a condominium | \$9583.00 |
| b) Duplex/Triplex | \$9650.00 per unit |
| c) Multi-Family | \$9650.00 per unit |
| d) Mobile home | \$9583.00 |

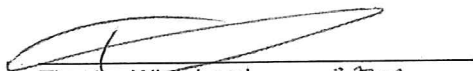
ADOPTED: JUNE 14, 2011

Resolution No. 360-11

ATTEST:

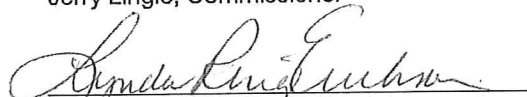

Sharon Goudy, Clerk of the Board

APPROVED AS TO FORM:


Timothy Whitehead 37821
Chief Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ABSENT
Jerry Lingle, Commissioner


Lynda Ring Erickson, Commissioner


Tim Sheldon, Commissioner