

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

June 21, 2011

1. Call to Order – The Chairperson called the regular meeting to order at 9:00 a.m.
2. Pledge of Allegiance – Kelsey Twidwell & Sheriff Salisbury 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 The Washington State Office of Financial Management provided preliminary April 1, 2011 population estimates.
    - 4.1.2 The Olympic Region Clean Air Agency provided Mason County's per capita assessment for 2012.
    - 4.1.3 The Port of Hoodspart sent notice of a change of their public meeting dates.
    - 4.1.4 The Puget Sound Partnership commented on funding for Local Integrating Organizations.
    - 4.1.5 Belfair Water District No. 1 submitted a revised Resolution 11-05 for annexation of Blue Star and Riverhill Properties.
    - 4.1.6 Panhandle Lake 4-H Camp asked to adopt the Rhododendrons planted at the former Mason County Extension Office.
    - 4.1.7 Tillicum Beach homeowners thanked Commissioner Sheldon for attending their June 4<sup>th</sup> meeting.
    - 4.1.8 Marjorie and Russell Sleight expressed concerns regarding the Potlach sewer proposal.
  - 4.2 Cmmr. Lingle read a news release announcing a private sector vacancy on the Pacific Mountain Workforce Development Council (PMWDC).
  - 4.3 Charlie Butros announced the contract award for County Road Project 1379, Grapeview Loop Road, clearing and grubbing phase to Kamin Excavation, LLC of Shelton in the amount of \$340,907.75.
  - 4.4 Charlie Butros read the news release announcing that County road chip seal and restriping will take place in the months of July and August.
  - 4.5 Sheriff Salisbury presented Kelsey Twidwell from Bordeaux Elementary School with a special participation award. Kelsey was the Sheriff's reading buddy for the year.
5. Open Forum for Citizen Input – There was no citizen input.
6. Adoption of Agenda - **Cmmr. Sheldon/Lingle moved and seconded to adopt the agenda as published. Motion carried unanimously. RE-aye; S-aye; L-aye.**
7. Approval of Minutes – June 14, 2011 regular meeting minutes.

Cmmr. Ring Erickson noted a correction to page five, paragraph five of the minutes. In the fourth sentence the word "lakes" should be changed to "shorelines".

**Cmmr. Sheldon/Lingle moved and seconded to approve the June 14, 2011 regular meeting minutes with the noted correction. Motion carried unanimously. RE-aye; S-aye; L-aye.**

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8. Approval of Action Agenda:

- 8.1 Approval to designate the Economic Development Council of Mason County as the Associate Development Organization (ADO) to coordinate economic development services for the county under contract with the Washington State Department of Commerce and authorize the Chair to sign the designation form.
- 8.2 Approval of a resolution authorizing the County Treasurer to designate certain expenditures for potential reimbursement from bonds that may be authorized and approved for issuance by the Commissioners. This resolution is required to meet IRS guidelines for expenditure reimbursement by bond proceeds. **Resolution No. 37-11 (Exhibit A)**
- 8.3 Approval of Memorandum of Agreement between Mason County Parks and Trails Department and Melody Travis to develop a Geocache location at Jacoby County Park. There is no cost to the County to enter into this agreement.
- 8.4 Approval of the contract amendment with Robert W. Droll in an amount of not to exceed \$26,430 for consulting services to complete bidding and construction management work for the Latimers Landing Parking Expansion Project. Funding for the amendment will come from Boating Facilities Grant (75%) and REET II Capital Funds (25%).
- 8.5 Approval to set a public hearing on Tuesday, July 12, 2011 at 9:30 a.m. to consider interim rates for connection charges for the Belfair Wastewater Reclamation System and establish minimum construction standards.
- 8.6 Approval to cancel the June 28, 2011 Mason County Board of Health meeting and to reschedule the meeting to June 30, 2011 from 11:00 – 1:00 at Mason General Hospital and to designate that meeting as a Joint Mason/Thurston Boards of Health Meeting.
- 8.7 Approval for the Chairperson to sign the contract to purchase the Munis Financial System from Tyler Technologies of Falmouth, ME. The cost is \$236,345 plus tax. Funding to be provided by the Technology Fund and the Equipment Rental & Revolving Fund.
- 8.8 Approval to transfer surplus county vehicle #28, a 2005 Ford Crown Victoria, to Fire Protection District #6 in Union, WA at no cost. This will be for training use. Fire Protection District #6 is responsible for title transfer and removal of the vehicle.
- 8.9 Approval to call for bids for the Mason County Jail Intercom Upgrade. Bid opening is July 7, 2011 at 3:00 PM. The estimated cost is \$20,000 to \$30,000 and will be paid from the Real Estate Excise Tax 1 (REET 1) Fund.
- 8.10 Approval to call for bids for the Mason County Jail Automatic Transfer Switch Upgrade. Bid opening is July 7, 2011 at 3:30 PM. The estimated cost is \$60,000 to \$75,000 and will be paid from the Real Estate Excise Tax 1 (REET 1) Fund. This switch transfers power, in an emergency, from the Public Utility District to the jail generator.
- 8.11 Approval for the Department of Utilities and Waste Management to enter into negotiations with Engineering Services Associates Inc. (ESA Inc.) for the design and construction services required to complete the Belfair sewer "Get Connected" program. This program is intended to provide sewer service to the property line for those properties, which are located on common private roads within the Belfair Urban Growth Area.
- 8.12 Approval of Amendment #1 of Contract G1000122 between Department of Ecology and Mason County for the North Shore Hood Canal Pollution Identification and Correction Project to include federally required language. There is no funding impact.
- 8.13 Approval of Amendment #1 of Contract G1000278 between Department of Ecology and Mason County for the Hood Canal Marine Recovery Area Onsite Septic System Discovery and Pollution Abatement Project to include federally required language. There is no funding impact.
- 8.14 Approval of Contract Number 1063-93589-02 between Washington State Department of Social & Health Services and Mason County for continuation of the Early Intervention Program. The contract amount is \$36,623.04 through June 30, 2012 and is budgeted.



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- 8.15 Approval of Contract Number 1063-93585-02 between Washington State Department of Social & Health Services and Mason County for continuation of the Early Family Support Services. The contract amount is \$16,384.78 through June 30, 2012 and is budgeted.
- 8.16 Approval of Amendment #30 of Consolidated Contract C14956 to increase the maximum consideration by \$3,565 for the Drinking Water Group A program and is budgeted. The total maximum for the Consolidated Contract is \$2,840,301.
- 8.17 Approval to set a public hearing on Tuesday, July 12, 2011 at 9:30 a.m. to consider approval of the Belfair annexation request by Belfair Water District #1 regarding Blue Star Properties LLC (parcel numbers 12321-13-00010 and 12321-10-01000) and Riverhill Properties LLC (parcel numbers 12321-24-00020 and 12321-21-00000).
- 8.18 Approval to award and authorize the Chair to sign the Professional Services Contract to Clegg and Associates in an amount not to exceed \$31,738 to develop materials and facilitate Advisory Committee and Communities processes leading to recommendation regarding implementation of the Sales and Use Tax authorized by RCW 82.14.460 – One Tenth of One Percent for Mental Health and Chemical Dependency Services and for Therapeutic Courts. Also authorize reimbursement to the Health Department for the Director's time spent managing this process. This is to be paid from available budgeted revenue in the Mental Health Fund #164 and authorize signature on any necessary budget documents.
- 8.19 Approval for the Chair to sign the Memorandum of Agreement (MOA) between Mason County, Mason Public Utility District #1 and Jefferson Public Utility District #1. No county funding is included in this MOA. This is for groundwater monitoring activities in WRIA 16/14b.
- 8.20 Approval to adopt a resolution setting a public hearing date with the Hearing Examiner on Tuesday, August 9, 2011 at 1:00 PM to consider public comment on the petition for vacation of a portion of Kaufman Street in Mason County, Washington, Vacation File # 376.
- Resolution No. 39-11 (Exhibit B)**
- 8.21 Approval for the Chair to sign the Service Agreement between Mason County Division of Emergency Management and the City of Shelton to provide emergency management services.
- 8.22 Approval of the Reimbursable Agreement for Mason County Public Works Road Department to provide fabrication of signs and materials to Fire District 2 for the 2011 calendar year.
- 8.23 Approval of the resolution establishing three new classifications in the AFSCME Salary Range Plan for the Assessor and Auditor Offices as follows: Assessor's Office -Administrative Data Technician IV, Range 25; Auditor's Office - Office Technician IV, Range 18 and Elections Technician III, Range 15. This will allow restructuring in the Assessors and Auditors office.
- Resolution No. 38-11 (Exhibit C)**
- 8.24 Approval to award the Belfair Wastewater Reclamation Pond and Sprayfield construction contract to Boss Construction Inc. of Bellingham, WA in the amount \$3,523,448.33 and is grant funded.

Tom Davis had a comment on item 8.1.

Cmmr. Sheldon asked that item 8.18 be removed for a separate vote.

Item 8.1

Mr. Davis encouraged the Economic Development Council to promote residential growth. He noted that residential growth is occurring and it is harder to bring new businesses to the county. Residential growth also attracts start up businesses. He believes that start up businesses are the future of the county and should be invested in.

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Item 8.5

Emmett Dobey, Utilities & Waste Management, asked to change the hearing date from July 12<sup>th</sup> to July 19<sup>th</sup>. There is a community meeting to discuss the rates scheduled for July 12<sup>th</sup> and he would like the hearing postponed until after that meeting.

Item 8.24

Mr. Dobey noted that this is the last part of the development of the Belfair Wastewater Reclamation Facility. He hopes the work will be completed by the middle of August and everything should be ready to be hooked up in October or November. He further noted that the 3.5 million dollar contract was 1 million dollars under the engineer's estimate.

Patricia Vandehey had questions on several items. She wanted to know if there were references she could look at before the meeting.

Cmmr. Ring Erickson explained that the materials for most of the items on the Commissioners' agenda are generally available online at 10:00 a.m. on the Thursday before the meeting.

**Cmmr. Lingle/Sheldon moved and seconded to approve Action items 8.1 through 8.24, with the exception of items 8.11 and 8.18, and amending item 8.5 to change the hearing date from July 12<sup>th</sup> to July 19<sup>th</sup>. Motion carried unanimously. RE-aye; S-aye; L-aye.**

Item 8.18

Cmmr. Sheldon noted that the issue of a mental health tax has spanned two Commissions. In 2010 the Commission removed \$200,000 from the Mental Health fund and moved it to the Current Expense fund. This proposal would remove another \$31,738 from the Mental Health fund and also reimburse the Current Expense fund for the Health Director's time spent on the issue. The consultant would be hired at \$165 per hour plus \$82.50 per hour for travel time. If this moves ahead it would bring a vote on a sales tax increase for Mason County. He wouldn't support a sales tax increase in a time of recession. There is a projected drop in revenue at the State and Mason County isn't immune. Even a small increase in sales tax can mount up. The people want the County to live within its means. He understands the need for mental health services but the money that is being taken out of the fund could have been spent directly on those services.

Cmmr. Lingle understood Commissioner Sheldon's stance and stated that he had some good points. However, he noted that he has first hand knowledge of the mental health issues in the community and knows the importance of protecting those in need of these services. It is a travesty to use a jail or a detention center to house individuals who have problems that need to be addressed on a professional medical level. The Commissioners own every citizen services that are their inalienable rights. The County needs to live within its means but people need to be allowed to live. He believes that the mental health issue and therapeutic courts to need to be a primary goal in the county.

Cmmr. Ring Erickson commented that she has heard from the public that they want to look at this and understand what the proposal would be, which is the work that this group would complete.

Cmmr. Sheldon pointed out that this item is to approve a contract for over \$31,000 and reimburse the Director for her time. This consultant would be telling the Board something they are already going to do. If it is clearly the vote of the Commission to approve the 1/10<sup>th</sup> of 1% for mental health services, \$40,000 doesn't need to be spent in addition. He doesn't feel this is a good expenditure of money.

**Cmmr. Lingle/Sheldon moved and seconded to approve Action item 8.18. Motion carried. RE-aye; S-aye; L-aye.**



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

- 9.1 Public hearing to consider the Cable Television Franchise Agreement between Mason County and Hood Canal Communications.

Rick Hirschberg, Public Works, explained that last January the Commission adopted a new cable TV franchise master ordinance that updated the previous ordinance from 1999. As follow up to that master ordinance the County is renegotiating three major cable TV franchises. The first franchise that has been negotiated is for Hood Canal Cablevision.

Mr. Hirschberg provided a map of their service area. He explained that Hood Canal Cablevision is one of three major cable TV providers in the county. They are also the largest provider in the county, in terms of number of subscribers. They received their initial franchise as Union Cablevision in 1981. Their name was changed to Hood Canal Cablevision in 1982. Franchises were also granted in 1988 and 1990. The franchises were for 15-year periods and each change was to expand their geographic area. The last franchise expired in 2005 and they have honored the original terms since that time.

Mr. Hirschberg went over the changes of the franchise agreement. The franchise has been renegotiated and brought up to date in terms of current standards and FCC rulings. The County collects a cable franchise fee to allow the cable to be in the County right of way. The previous franchise fee was 3% of the basic cable TV revenues. That is being changed to 5% of gross revenues, which is the current industry standard. Another new term under the agreement would allow the company to expand their service countywide. The liability insurance requirements have also been increased to protect the County. Provisions for extending service to new customers were also added. If the agreement is passed it would go into effect on July 1<sup>st</sup> for a term of ten years.

Questions for Staff

Cmmr. Sheldon asked if DSL and fiber services are part of the franchise agreement.

Mr Hirschberg responded that the franchise is just for cable TV. There is a separate franchise for communications services, which has not expired.

Public Testimony

Mike Oblizalo, Hood Canal Communications, thanked Mr. Hirschberg for his work on the agreement. There were a lot of big changes and it was month's worth of work.

**Cmmr. Sheldon/Lingle moved and seconded to approve and execute the Cable Television Franchise Agreement between Mason County and Hood Canal Cablevision. Motion carried unanimously. RE-aye; S-aye; L-aye.**

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

- 10.1 Bob Simmons, WSU Extension Office, announced that Summer 4-H Day Camp will be offered from July 11<sup>th</sup> through August 5<sup>th</sup>. The focus will be on reading skills.

- 10.2 Cmmr. Ring Erickson noted that the Commission works very hard at making sure the public has access to Commission meeting agendas and materials in advance. The Commission meeting materials are online at 10:00 a.m. on Thursday morning for review and questions can be answered by staff ahead of time or at the Commission meeting. Materials can also be reviewed at the front desk.

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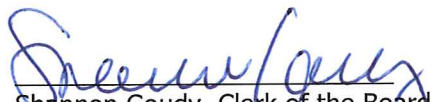
11. Board's Reports and Calendar - The Commissioners reported on meetings attended the past week and announced their upcoming weekly meetings.
12. Adjournment – The meeting adjourned at 10:07 a.m.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
Lynda Ring Erickson, Chair

ATTEST:

ABSENT 6/20/11  
Tim Sheldon, Commissioner

  
Shannon Goudy, Clerk of the Board

  
Jerry K. Lingle, Commissioner

RESOLUTION NO. 37-11

A RESOLUTION of the Board of Commissioners of Mason County, Washington, authorizing the County Treasurer to designate certain expenditures for potential reimbursement from bonds that may be authorized and approved for issuance by the Board of Commissioners in the future.

WHEREAS, Mason County, Washington (the "County") issues tax-exempt and tax-advantaged obligations from time to time (including bonds, leases and lines of credit) for the purpose of financing its governmental activities; and

WHEREAS, the United States Department of the Treasury has promulgated regulations limiting the ability of the County to use the proceeds of tax-exempt and taxable Build America Bond obligations for reimbursement of prior expenditures; and

WHEREAS, the regulations permit the County to appoint one or more officials for the purpose of identifying and qualifying capital projects for reimbursement purposes;

THE BOARD OF COMMISSIONERS OF MASON COUNTY, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Appointment of County Treasurer. Pursuant to U.S. Treasury Regulation Section 1.150-2(e)(1), the Board of Commissioners (the "Board") hereby designates and appoints the County Treasurer as the responsible official for the purpose of issuing statements of official intent in compliance with Treasury Regulation Section 1.150-2.

SECTION 2. Statements of Official Intent. Upon a determination by the County Treasurer that the costs of a particular capital project may be reimbursed from the proceeds of a tax-exempt or tax-advantaged obligation(s) of the County, the County Treasurer is authorized and directed to execute a certificate of official intent, substantially in the form attached hereto as Exhibit A. Each certificate so executed shall become a part of the official records of the County available for public inspection and review.

No capital projects will be undertaken unless such projects have been previously approved in the customary manner by the Board, and the execution of any intent certificate shall not obligate the County to issue any debt all of which shall require separate and additional official approval by the Board.

Adopted by the Board of Commissioners of Mason County, Washington at a regular meeting held on JUNE 21, 2011.

MASON COUNTY, WASHINGTON

By Lynda Ring Erickson  
Lynda Ring Erickson, Chairman and Commissioner

By Tim Sheldon  
Tim Sheldon, Commissioner

By Jerry K Lingle  
Jerry K Lingle, Commissioner

ATTEST:

Shannon Goudy  
Shannon Goudy, Clerk of the Board

APPROVED AS TO FORM:

Tim Whitehead  
Tim Whitehead, Chief Deputy Prosecuting Attorney



**EXHIBIT A**

**FORM OF OFFICIAL INTENT CERTIFICATE**

Pursuant to Resolution No. \_\_\_\_ of the Board of Commissioners of Mason County, Washington (the "County"), the undersigned, County Treasurer hereby states as follows:

**SECTION 1.** The County reasonably expects to reimburse the expenditures described herein with the proceeds of debt to be incurred by the County (the "Reimbursement Bonds").

**SECTION 2.** The maximum principal amount of Reimbursement Bonds expected to be issued is \$ \_\_\_\_.

*[Select one version of Section 3]*

**SECTION 3.** The expenditures with respect to which the County reasonably expects to be reimbursed from the proceeds of Reimbursement Bonds are for \_\_\_\_\_  
[insert general functional description of the property, project or program].

**OR**

**SECTION 3.** The expenditures with respect to which the County reasonably expects to be reimbursed from the proceeds of Reimbursement Bonds will be made from \_\_\_\_\_  
[insert name of fund or account from which the expenditure will be made and description of the functional purpose of the fund, for example, capital improvement program].

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Treasurer of Mason County, Washington

RESOLUTION NO. 38-11  
TO IMPLEMENT A REVISED CLASSIFICATION AND SALARY RANGE PLAN  
FOR  
LOCAL 1504 OF THE WASHINGTON STATE COUNCIL OF COUNTY AND CITY EMPLOYEES AND  
THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME)

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 Board has approved additional classifications to the AFSCME Salary Range Plan as follows:

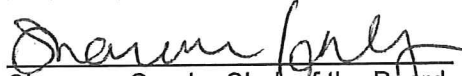
In the Assessor's Department  
Administrative Data Technician IV, Range 25

In the Auditor's Department  
Office Technician IV, Range 18  
Elections Technician III, Range 15

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners does hereby amend the AFSCME Salary Range Plan to reflect the above change effective July 1, 2011.

Approved this 21<sup>st</sup> day of June 2011.

ATTEST:


  
Shannon Goudy, Clerk of the Board

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
Jerry Lingle, Commissioner

  
Lynda Ring Erickson, Chairperson

APPROVED AS TO FORM:

  
Tim Whitehead, Chief Deputy Prosecuting Attorney

  
Tim Sheldon, Commissioner

RESOLUTION NO. 39-11

VACATION FILE NO. 376  
NOTICE OF INTENT TO VACATE  
SETTING TIME AND PLACE FOR HEARING ON SAID VACATION  
RCW 36.87  
IN THE MATTER OF THE VACATION OF A PORTION OF KAUFMAN STREET

**WHEREAS, NOTICE IS HEREBY GIVEN** that the Mason County Public Works Department received a petition for the vacation of the following right of way:

All that portion of Kaufman Street adjoining Block 35, Lot 10 and Block 28, Lot 1 and adjoining Block 36, Lot 10 and Block 27, Lot 1, as shown on the "Plat of the Town of Allyn" Volume 1 of Plats, page 17, records of Mason County, Washington.

**WHEREAS**, the Board of Mason County Commissioners did set a date for public hearing on the matter before the Hearing Examiner on the matter and directed Public Works to prepare notice thereof for posting and publication.

**NOW THEREFORE, BE IT RESOLVED** that said hearing has been set for **Tuesday, August 9, 2011 at 1:00 p.m.** in the Commission Chambers, Mason County Courthouse Building I, 411 North Fifth Street, Shelton, Washington, at which time and place any taxpayer may appear to hear the County Engineer's report, and be heard either for or against the vacation of said portion of Kaufman Street.

DATED this 21<sup>st</sup> day of JUNE, 2011.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

ATTEST:

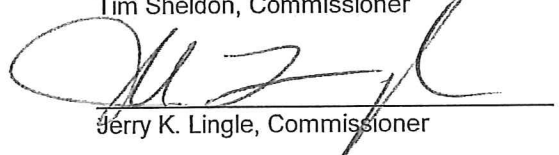
  
Shannon Goudy, Clerk of the Board

  
Lynda Ring Erickson, Chair

APPROVED AS TO FORM:

  
Deputy Prosecuting Attorney

  
Tim Sheldon, Commissioner

  
Jerry K. Lingle, Commissioner

Assessor

Auditor

County Engineer

Petitioner

Post no later than 7/20/11 (20 days prior to hearing at each terminus of the county road or portion thereof proposed to be vacated or abandoned.)

Vacation File No. 376

JOURNAL – Publish 2t: 7/28/11 & 8/4/11

(Bill Public Works)



ROAD VACATION # 376

PORTION OF KAUFMAN

EXHIBIT MAP



VACATION AREA

