

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**

**February 19, 2013**

1. Call to Order – The Chairperson called the regular meeting to order at 9:02 a.m.
2. Pledge of Allegiance – Annette McGee led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Randy Neatherlin; Commissioner District 2 – Tim Sheldon; Commissioner District 3 – Terri Jeffreys.
4. Correspondence and Organizational Business
  - 4.1 Correspondence
    - 4.1.1 The Washington Indian Gaming Association provided a copy of "The Economic and Fiscal Impacts of Indian Tribes in Washington".
    - 4.1.2 A petition was received for the merger of a portion of Mason County Fire District No. 9 into Mason County Fire District No. 6.
    - 4.1.3 The Washington State Liquor Control Board sent notice of special occasion liquor license applications for Hood Canal Celtic Festival and North Mason Rotary.
    - 4.1.4 Green Diamond Resources is seeking reconsideration of the Board's denial of the proposed re-designation at Lake Nahwatzel and Kennedy Creek.
    - 4.1.5 Susan Ford expressed concerns regarding utility rates for part time residents of Mason County.
    - 4.1.6 Mason Hospital District No. 2 sent notice of their appointments to the Mason County EMS and Trauma Care Council.
  - 4.2 Barbara Adkins, Department of Community Development, read a news release announcing a vacancy on the Planning Advisory Commission.
5. Open Forum for Citizen Input – There was no citizen input.
6. Adoption of Agenda - **Cmmr. Sheldon/Jeffreys moved and seconded to adopt the agenda as published. Motion carried unanimously. N-aye; S-aye; J-aye.**
7. Approval of Minutes - February 4, 2013 and February 11, 2013 briefing meeting minutes.

**Cmmr. Jeffreys/Sheldon moved and seconded to approve the February 4, 2013 and February 11, 2013 briefing meeting minutes. Motion carried unanimously. N-aye; S-aye; J-aye.**

8. Approval of Action Agenda:
  - 8.1 Approval of the ordinance amending County Code Chapter 2.88, Meetings of the Board of County Commissioners, establishing Rules of the Board. **Ordinance No. 09-10 (Exhibit A)**
  - 8.2 Approval to authorize the Public Works Utilities and Waste Management Division to enter into an agreement with JA Cunningham Consulting, LLC in an amount not to exceed \$70,875.
  - 8.3 Approval of the Veterans Assistance Fund application for: Ronald F. Schmitz – Utilities \$200.00; Byron Smith – Utilities \$482.32; George F. Valent – Utilities \$263.00; Charles E. Varian – Utilities \$148.80; Sammy Weaver – Utilities \$600.00 for a total of \$1,694.12 as recommended by the Veterans Assistance Fund Screening Committee.
  - 8.4 Approval of Warrants

Claims Clearing Fund	Warrant #s 215887-216390	\$3,549,033.99
Salary Clearing Fund	Warrant #s 6404-6447	\$ 305,108.26
Direct Deposit Fund	Deposit #s 43695-44061	\$ 582,472.26

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8.5 Approval to approve and sign the 2012 Oath of Inventory for Mason County machinery and equipment and to deliver this Oath of Inventory to the Mason County Auditor as required by RCW 36.32.210.

Tom Davis asked that items 8.1 and 8.2 be removed for a separate vote.

Cmmr. Sheldon noted that over four million dollars would be paid in warrants under item 8.4. It was a considerable amount of money considering the County's current financial difficulties.

**Cmmr. Sheldon/Jeffreys moved and seconded to approve action items 8.3 through 8.5. Motion carried unanimously. N-aye; S-aye; J-aye.**

Item 8.1

Mr. Davis was concerned about the "postponement of action" section of the proposed code amendment. He felt it was important for all three Commissioners to be present at the meetings. He would like the section to be rewritten so there wouldn't be a vote unless all three Commissioners were present.

Cmmr. Neatherlin noted that the public could always ask that an item be delayed until all three Commissioners were present.

Cmmr. Sheldon thought that the "division" was regarding dividing the question on a vote.

**Cmmr. Sheldon/Jeffreys moved and seconded to approve item 8.1. Motion carried unanimously. N-aye; S-aye; J-aye.**

Item 8.2

Mr. Davis asked if the item was budgeted.

Brian Matthews, Public Works, explained the contract would be used to cover two vacant budgeted positions that had not been filed.

Mr. Davis thought that other employees were given pay raises to do the duties that the consultant would be hired to do. He wondered if the Commissioners had looked at the line items.

Cmmr. Neatherlin noted that it would be a temporary solution before other areas of the department were consolidated.

Mr. Matthews explained that there were 100 hours of contingency included in the proposal. He was focusing his time on an issue with a contractor on the Belfair sewer to avoid litigation. Mr. Cunningham was very efficient and already knew the system. There would be some reorganization in the future and they were trying to find the most efficient way to do that. They need someone who can do more than solid waste. This contract would help protect the investment on the sewer and have the other things still get done.

Annette McGee asked if the consultant would be paid for travel time and lodging.

Mr. Matthews stated that Mr. Cunningham lived in Tumwater and would only be paid for the time he was here.

**Cmmr. Jeffreys/Sheldon moved and seconded to approve item 8.2. Motion carried unanimously. N-aye; S-aye; J-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 revising the 2013-2016 Transportation Improvement Program.

Melissa McFadden, Public Works, stated that the hearing was to consider adding the Belfair Bypass to the 6-Year Transportation Improvement Program. The Commissioners requested the addition of the Bypass to show support for the project.

Cmmr. Sheldon noted that the project wouldn't be funded by the County. The addition would just help leverage the project with the State.

Ms. McFadden added that the idea was to show support for the State's currently planned project. There was no funding proposed.

Cmmr. Neatherlin felt that the Bypass needed to be in the plan to move forward. There were several options to make it happen. It was also important for economic development.

Public Testimony

Jerry Hauth urged the Board not to put the project on the 6-year TIP. The State has been remiss in funding the project and he feared that the project would come back to the County for funding when it should be a State project. He had interacted with the State on the project in the past. He thought the State would take the project being on the TIP as the County agreeing to fund the project. He suggested that the citizens and Commissioners reach out to the Legislature instead for support of the project.

Ken VanBuskirk disagreed with Mr. Hauth. He noted that the State widening project that is currently ongoing was on the County's 6-Year Plan. He has been an advocate for the Bypass for some time. He went to a Bypass meeting in 2006 and saw a road planned to go through Davis Farm. He served on the TIPCAP for six years and tried unsuccessfully to get the Bypass on the Plan. He felt the priority array process should be used on the Bypass as well. He fully supported the placement on the 6-Year Plan.

Pat Vandehey didn't understand the advantages of having the Bypass in Belfair. It is such a little place to spend all the money to go around it and didn't make sense to her. Something like this wouldn't even be considered for such a small area where she came from.

Cmmr. Sheldon noted that safety was an issue. When there is an accident emergency vehicles cannot get through. Traffic backs up considerably on weekends and at the end of the workday. It is also difficult for the schools. He noted other areas that have bypasses and how it has changed their communities.

Cmmr. Neatherlin explained that there are no arterial roads in the area at all. It is difficult for emergency services and an evacuation would be also difficult. The Bypass would have a huge benefit to the economy.

Cmmr. Jeffreys stated that transportation was so important to the livability of the community. They cannot succeed in attracting growth to the area without ingress and egress. She had inquired at the Department of Transportation about their impression of the Bypass appearing on the 6-Year Plan. Their responses were not compelling enough to tell her it shouldn't be on the Plan. What she heard was that it was unclear to the DOT and the Legislature whether the citizens wanted the Bypass. She didn't think the intention of who should pay for the project would be misunderstood.

Cmmr. Sheldon compared the project to the Shelton bypass that was built in 1970. He felt that the north portion of the county deserved a bypass just as much.

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Cmmr. Neatherlin noted that Belfair was a major tax base for the County so growth there is needed. Having the Bypass on the plan would help to take advantage of any opportunity that may occur.

**Cmmr. Jeffreys/Sheldon moved and seconded to approve the resolution adopting a revised 2013-2018 Six Year Transportation Improvement Program, adding the Belfair Bypass. Motion carried unanimously. N-aye; S-aye; J-aye. Resolution No. 10-13 (Exhibit B)**

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

10.1 Bob Simmons, WSU Extension Office, announced an upcoming Master Gardener workshop.

10.2 Cmmr. Sheldon noted that next week an item would be on the agenda on whether the Board would continue with the Hood Canal Coordinating Council. The Commissioners could request that the State Auditor conduct a performance audit on the Council. The RCW is very specific about structure and job descriptions. Perhaps if the State Auditor did a performance audit the Board would have some background as how to proceed.

Cmmr. Jeffreys thought it was a good idea. She would like to see some changes at the Council and would like to see if those changes would be supported by an audit.

10.3 Sheriff Salisbury discussed a recent burglary arrest in North Mason County. He also discussed gun control. He noted that he would continue to follow the Constitution of the United States.

10.4 Cmmr. Neatherlin noted that Gravel Construction just opened in Belfair, which would be good for the economy.

11. Board's Reports and Calendar - The Commissioners reported on meetings attended the past week and announced their upcoming weekly meetings.

Cmmr. Sheldon left the meeting at 10:23 a.m.

12. Adjournment – The meeting adjourned at 10:32 a.m.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
\_\_\_\_\_  
Randy Neatherlin, Chair

  
\_\_\_\_\_  
Tim Sheldon, Commissioner

ATTEST:

  
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Shannon Goudy, Clerk of the Board

  
\_\_\_\_\_  
Terri Jeffreys, Commissioner

ORDINANCE NO. 09-13

AN ORDINANCE AMENDING COUNTY CODE CHAPTER 2.88 – MEETINGS OF BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Board of Mason County Commissioners desire to establish Rules of the Board so Commission meetings are carried out with efficiency and uniformity and are responsive to the public; and

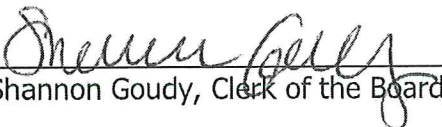
WHEREAS, these rules are designed to provide guidance to the Commission and do not amend statutory or other regulatory requirements;

NOW, THEREFORE BE IT RESOLVED, the Board of Mason County Commissioners hereby establishes the following rules (Attachment A) for the conduct of Commission meetings, proceedings and business. These rules shall be in effect upon adoption by ordinance of the Commission and until such time as new rules are adopted by ordinance.

DATED this 19<sup>th</sup> day of February, 2013.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON


ATTEST:

  
Shannon Goudy, Clerk of the Board

  
Randy Neatherlin, Chair

APPROVED AS TO FORM:

  
Tim Sheldon, Commissioner

  
Tim Whitehead, Chief DPA

  
Terri Jeffreys, Commissioner

**Mason County Board of Commissioners**  
**Rules of the Board**

**2.88.010 Regular Meetings.**

Regular meetings of the Board of Mason County Commissioners are held at 9:00 a.m. each Tuesday, except for the fifth Tuesday (in those months that have five Tuesdays) in the Commission Chamber, 411 North 5<sup>th</sup> Street, Shelton, Washington to transact regular business, (RCW 36.32.080) provided that:

- 1) If a holiday recognized and observed by the county falls on a Tuesday, such regular meeting shall be held on the next business day, per RCW 42.30.070;
- 2) If, due to an emergency, it is unsafe to meet in the Commission Chambers, meetings may be held for the duration of the emergency at such place as is designated by the chairperson of the board;
- 3) The regular meeting of the board on the fourth Tuesday of the month shall commence at 6 p.m. in the Commission Chambers;
- 4) The regular working session (briefings) may be held on Mondays from 8:00 a.m. to 5:00 p.m., on Tuesdays following the regular Commission meeting until 5:00 p.m. and on Wednesdays from 8:00 a.m. to 5:00 p.m. At these meetings, the Board is briefed by staff and discussion may occur with other agencies. These are generally not decision-making meetings, however, occasionally an action is taken;
- 5) The Board may hold continued meetings in accordance with requirements of the law and may conduct continued meetings in the evening.

Board members may participate in regular meetings via conference call or videoconference. All Board meetings shall be open to the public. However, the Board may retire to executive session by majority vote and in compliance with the law (RCW 42.23 and RCW 42.30.110). Nothing in this section shall prohibit the Board of County Commissioners from adjourning Tuesday meetings from time to time, or from calling special meetings in accordance with notice requirements of law (RCW 42.30), or from cancelling a Commission meeting.

**2.88.020 Special meetings.**

Special meetings may be called at any time by the Chair of the Board (RCW 42.30.080) or by a majority of the members of the Board by providing written notice personally, by mail, by fax, or by e-mail at least 24 hours before the time of the special meeting to each member of the Board, to each local newspaper of general circulation, and to each local radio or television station that has a written request on file with the governing body to be notified of special meetings.

Notice shall be posted at the entrance to the meeting room and posted on the County's web site. The notice shall specify the time and place of the special meeting and the business to be transacted. Final action shall not be taken on any other matter at such meeting.

Written notice to a member of the governing body is not required when a member files at or prior to the meeting a written waiver of notice or provides a waiver by telegram, fax or e-mail or the member is present at the meeting at the time it convenes.

**2.88.030 Emergency meetings.**

The notice required for special meetings may be waived in the event it is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements would make it impractical and increase the likelihood of injury or damage. An emergency meeting must be open to the public.

**2.88.040 Quorum.**

A quorum of the Board of Mason County Commissioners shall consist of two elected or appointed County Commissioners.

The Board shall not adopt nor discuss with each other any ordinance, rule, regulation, order or directive except in a meeting open to the public and attended by a quorum; except for executive sessions (RCW 42.30.110) and those proceedings exempted by RCW 42.30.140.

**2.88.045 Meetings outside the regular meeting place.**

The Board may schedule regular, continued, or special meetings at locations outside the regular meeting place, subject to provisions of the Open Public Meetings Act (Chapter 42.30 RCW).

**2.88.050 Officers of the Board.**

The elected officers of the Board are the Chair and Vice Chair. At their first regular meeting of the calendar year, the Board of Mason County Commissioners shall select one of its members to preside at its meetings as Chair of the Board and Vice Chair. In the event of a vacancy in the office of the Chair for any reason, including succession, the position shall be filled by the Vice Chair and the election of a replacement for the Vice Chair shall be held to serve the unexpired portion of the term. The Vice Chair will serve as Chair when the Chair is unable to serve.

The Chair shall sign all documents requiring the signature of the Board, and the Chair's signature shall be as legal and binding as if all members had affixed their names, provided the signature is authorized by the Board. In case the Chair is absent at any meeting of the Board, all documents requiring the signature of the Board shall be signed by the Vice Chair.

**2.88.060 Clerk of the Board.**

The Board of Mason County Commissioners shall appoint, by resolution, a Clerk who shall attend its meetings and keep a record of its proceedings. The Board may appoint an alternate person to act as Clerk when the appointed Clerk is unable to attend meetings.

**2.88.070 Motions, seconds, and voting.**

Any member of the Board, including the Chair and Vice Chair may make motions and/or second the motions of other members and vote on matters before the Board. Any member may disqualify themselves if they have a conflict of interest or believe participation in a Board action may raise issues of appearance of fairness.

**2.88.080 Postponement of action.**

When only two members of the Board are present at a meeting of the Board, and a division takes place on any question, the matter under consideration shall be postponed until the next regular meeting.

**2.88.090 Agendas.**

Agendas for regular meetings of the Board of County Commissioners shall be available to the public no later than the working day prior to the meeting.

Agendas for adjourned or continued meetings of the Board of County Commissioners shall be available to the public no later than the working day prior to the meeting.

Additions or modifications to the agenda may be made by majority vote of the Board at any time during the regular meeting.

**2.88.100 Records of the Board.**

All records of the Board, except those which are not public records within the terms of RCW 42.56, as enacted or hereafter amended, shall be available for public inspection at the office of the Commissioners during regular working hours.

**2.88.110 Applicability.**

Nothing in this resolution or in Chapter 42.30 RCW prohibits Board members from travelling together or from gathering for other purposes than county business nor from individually discussing county business with other than Board members.



**RESOLUTION NO. 10 -13**  
Revised Six Year Transportation Improvement Program

**WHEREAS**, in compliance with W.A.C. 136-15 Mason County has prepared the attachment Six Year Transportation Improvement Program for the period January 1, 2013 through December 31, 2018; and,

**WHEREAS**, in compliance with R.C.W. 36.81.121 and W.A.C. 136-14, the Board of Mason County Commissioners hereby certifies that the priority array of potential projects on this County's road system, including bridges, was prepared by the County Commissioners during the preparation of the said Six Year Transportation Improvement Program; and,

**WHEREAS**, in the further compliance with said law, the Board of County Commissioners has held a public hearing on this 19<sup>th</sup> day of February 2013;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Mason County Commissioners, in regular session assembled, that the attached Six Year Transportation Improvement Program for 2013 through 2018 be adopted, consisting of item No's 1 through 33, which are hereby incorporated and made part of this Resolution.

**BE IT FUTHER RESOLVED** that the County Engineer is hereby directed to distribute copies of the Six Year Transportation Improvement Program for 2013-2018 to all required agencies.

**ADOPTED** this 19<sup>th</sup> day of February 2013.

**BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON**


  
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**RANDY NEATHERLIN, Chair**


**ATTEST:**

  
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**SHANNON GOUDY, Clerk of the Board**

  
\_\_\_\_\_  
**TIM SHELDON, Commissioner**

**APPROVED AS TO FORM:**

  
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**TERRI JEFFREYS, Commissioner**

  
\_\_\_\_\_  
**TIM WHITEHEAD,**  
Ch. Deputy Prosecuting  
Attorney

cc: Commissioners  
Public Works  
Community Development  
County Road Admin. Board  
WSDOT

Exhibit B

Mason County (23)

6-YEAR TIP PROGRAM 2013 - 2018

Project	BMP	EWMP	2013		2013 Total	2014 Total	2015 Total	2016 Total	2017 Total	2018 Total	Project Total	
			PE	RW								Const
HMA Overlays (maintenance)	-	-	10		415	425	1,200	1,500	1,500	1,500	7,625	
BST on Gravel (maintenance)	-	-				0	25	0	0	0	25	
Safety (maintenance)	-	-			20	20	220	220	220	220	1,120	
Intersection Safety	Var	Var	115	30	739	884	0	0	0	0	884	
Minor Const (maintenance)	-	-	10	10	91	111	430	430	430	430	2,261	
Large Culverts (maintenance)	-	-	25	25	430	480	660	750	660	660	3,870	
Little Mission Creek Culvert	3.49	3.50	45	5		50	400	0	0	0	450	
Tahuya River Rd Culvert	1.23	1.25	10		40	50	100	0	0	0	150	
<b>2007 STORM DAMAGE</b>												
Lower Elfendahl Pass Bridge	0.17	0.17	50		350	400	0	0	0	0	400	
North Shore Road Erosion Repairs	0.91	1.38					0	0	0	0	0	
Shelton - Matlock (Goldsbrough Br.)	0.00	1.06		100		100	0	15	35	375	425	
Simmons Road	5.85	6.85	60	60	480	600	645	0	0	0	1,245	
Cloquallum Road - 3R (4/29/11)	1.73	1.80	20	42	2,060	2,122	454	0	0	0	2,576	
Hunter Creek Bridge	0.31	1.50	50	45	1,605	1,700	850	0	0	0	2,550	
North Island Dr - 1	3.35	4.45	50			50	10	50	415	3,015	3,540	
Pickering Rd - 3	26.37	27.60	185	25		210	10	10	2,129	0	2,359	
Matlock Brady Road - Phase 1	0.00	7.93	5			5	0	0	0	0	5	
Eddy Evers Bridge - Matlock Brady Rd	0.40	1.59					0	15	25	150	1,040	
Highland Road	5.50	7.07					0	25	25	2,000	2,300	
Arcadia Road	0.00	1.15					0	0	0	0	0	
Belfair - Tahuya Rd - 1	0.00	1.80					0	0	0	0	0	
South Island Dr - 1	16.86	23.53					0	10	25	150	2,200	
Matlock Brady Road - Phase 2	4.58	5.23					0	0	0	0	0	
Cloquallum - 2	0.00	1.86					0	0	0	0	0	
Deckerville Road - 1	0.44	1.18					0	0	0	0	0	
Island Lake Drive	n.a.	n.a.					0	0	0	0	0	
Johns Prairie/SR 3 Intesection	n.a.	n.a.					0	0	0	0	0	
Razor Road W. Extension to SR 3	n.a.	n.a.					0	0	0	0	0	
Wheelwright Street	n.a.	n.a.					0	0	0	0	0	
Wade Street	n.a.	n.a.					0	0	0	0	0	
Masterson Street	n.a.	n.a.					0	0	0	0	0	
Belfair Bypass	n.a.	n.a.					0	0	0	0	0	
<b>TOTAL ESTIMATED EXPENDITURES</b>					<b>7,207</b>		<b>5,054</b>	<b>3,331</b>	<b>5,464</b>	<b>6,750</b>	<b>7,860</b>	<b>35,666</b>

NOTES:

- (1) All dollar figures in thousands
- (2) PE = Preliminary Engineering
- (3) RW = Right of Way
- (4) Constr = CE + Construction
- (5) CE = Construction Engineering

APPROVED BY TIP-GAP

Date of Final Approval: \_\_\_\_\_

APPROVED BY BOARD OF COUNTY COMMISSIONERS

Hearing Date: \_\_\_\_\_  
 Date of Final Adoption: \_\_\_\_\_  
 Resolution Number: \_\_\_\_\_