

## BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

June 24, 2014

1. Call to Order – The Chairperson called the regular meeting to order at 6:03 a.m.
2. Pledge of Allegiance – Judy Scott, Port of Allyn Commissioner 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 State Liquor Control Board sent a list of establishments with liquor licenses expiring on September 30, 2014; marijuana license applications for Canna-Best, Evergreen Growpro, Celesteva and Wholecannabis and liquor license applications for Pioneer Kiwanis Club and Allyn Community Association.
    - 4.1.2 The Will S. Berger Foundation sent a letter and questionnaire regarding crisis readiness.
    - 4.1.3 Dianne Sekas, David & Barbara Vimont, Theresa Zorad, James McElroy and Evelyn Siqueland sent letters of protest regarding Forbidden Farms.

Cmmr. Neatherlin asked for a change in agenda to allow 2 minutes per person to speak and allowing everyone a chance to speak.

Cmmr. Jeffreys and Cmmr. Sheldon agreed.

5. Open Forum for Citizen Input –
  - 5.1 Michelle Ausetth stated that she and her family own property that borders Forbidden Farms site and they plan to retire there. Her concerns are criminal activity, marijuana odors and she does not want her family around it.
  - 5.2 Nick Sells expressed shock and concern about crime and the safety of his family. He says it makes no sense to have a pot farm in his neighborhood. There are other places in Mason County to have pot farms. He read an excerpt from the SEPA Environmental Checklist from the WSLCB stating that "Due to the high monetary value placed on Marijuana, areas can experience a number of home invasions, robberies, thefts and murders related to cultivation which impacts local law enforcement". He gave a copy of the SEPA Checklist to Cmmr. Neatherlin. Mr. Sells is also concerned about the beaches and pollution.
  - 5.3 Nicole Sells feels blindsided. She suggested re-zoning for marijuana farms and adopting a moratorium.
  - 5.4 Connie Adams is concerned about the marijuana farm being in a neighborhood and she worries about the effects on the shellfish.
  - 5.5 Kathy Gerchak stated that her property backs up to the farm. She said the farm is not unlike a prison with the fences and cameras. She is concerned for the safety of her children.
  - 5.6 Iris Wells Van Akeren owns 60 acres right past Sells Drive. She is furious about what is happening to her hometown.
  - 5.7 Joan Hayes has lived on Malaney Creek Road for 39 years. She asked how many pot farms will the Commissioners approve. She is worried about decreasing property value. She added that the pot farm is a 20 minute walk to Timberlakes through the woods. She also stated that she voted for pot farms but she is against them in residential areas.
  - 5.8 Linda Haderli lives across from Forbidden Farms. She wonders about the impact on shellfish and is concerned this farm may add to flooding. She also has concerns about traffic problems, crime rate and decreasing property values.
  - 5.9 Jennifer Coots lives on High Road across from Sells Drive. She is concerned about the Sheriff's office response time. She is worried about big commercial vehicles and has concerns about her children playing outside.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**June 24, 2014 - PAGE 2**

- 5.10 Brandt Orme thinks it's great that people can now grow and sell marijuana although he doesn't want it in residential areas as he feels this is a security problem. He commented that the soil out in that area is solid clay and so everything runs off to the bay. He has environmental concerns. He would like moratorium.
- 5.11 Don Easton owns property west of the farm. He would like SEPA and fire service addressed. He said pot farms cannot get insurance. He also stated that the acoustics in the area are great and he feels this farm would be noisy.
- 5.12 Steve Bloomfield thanked everyone for showing up and stated that we need community involvement more often.
- 5.13 Diane Hoosier lives on Sells Drive and has lived in the neighborhood for one month. She doesn't have a problem with marijuana but she has a problem with it being in her neighborhood and close to her son.
- 5.14 Ormand Dodge lives across from Sells Drive. He stated that marijuana farms are regulated and have security. He feels not everyone is informed and have not educated themselves. He stated that Forbidden Farms is following the law and are obtaining required permits. He also stated his family has been in the shellfish business for over a hundred years. He said there is more contamination from horse farms and cow pasture run off than you would get from an organic marijuana farm.

Cmmr. Jeffreys and Cmmr. Neatherlin reminded the audience to speak to the Board directly and not each other.

- 5.15 Thomas Woodruff lives on Bay East Drive. He was told this was an "organic farm" so he assumed it would be vegetables. He feels this is disingenuous and it does get personal when you are referring to peoples lives and homes
- 5.16 Tom Davis asked for clarification on the size of this facility. He feels that just because it's appropriately zoned does not mean it's appropriate in general.
- 5.17 Lori Dodge lives on Sells Drive. She doesn't see the issues that the others do. She talked to Forbidden Farms to obtain information. Forbidden Farms is following regulations. She feels that though it's not a vegetable garden, the growing concept is the same. They will have two quantum huts and sealed fences. They were trying to keep a low profile and are trying to do everything right. She stated that calling the news crews is only bringing attention and letting everyone know where a secluded farm is located.
- 5.18 John Thompson asked if Mason County is prepared for lawsuits, fire response and additional deputy patrols. The problem is putting this business in the wrong place.
- 5.19 Diane Avery lives on Sells Drive. She is concerned about allowing this in an existing neighborhood. She is concerned about flood lights. She is also worried about odor problems, crime and shootouts.
- 5.20 Steve Fuhr has two I-502 licenses and is the owner of Agropack. He wonders where everyone was when they were giving their input on this topic at previous meetings and stated he was here. He assures everyone that this was all public record. He said there will be no water runoff. He also stated that these farms are heavily regulated and that a dozen state agencies require them to test their water. He also stated that the crime aspect is mostly hype and that sometimes crime is lower due to this being a legal substance. He added that there should be no smell.
- 5.21 Liz Baker asked the Commissioners to consider the resale value of their homes.
- 5.22 Vince Campagna commented that he is not saying that anyone is a bad person but he would like everyone to re-think this proposition. He has visited a marijuana farm and there is a terrible odor. He feels this should not be in a residential area.

Cmmr. Sheldon reminded everyone that this is not a public hearing but is an opportunity for public comment.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**June 24, 2014 - PAGE 3**

Connie Adams asked how they are supposed to know when a hearing is scheduled or what is going on at the County level.

Cmmr. Jeffreys answered that legal hearings are posted.

5.23 David Vimont lives across the road from the marijuana farm location. He said there will be odor produced by the farm and there is already run off that goes through the oyster beds.

5.24 Tracy Johnson lives on Malaney Creek Road. Her big concern is property values.

5.25 Allen Shine lives on Low Road. He believes in I-502 and he voted for it although he doesn't want it in the middle of his neighborhood. He stated he believes this is a quality of life issue.

Cmmr. Sheldon stated that he did not vote for this. He passed out a letter from the Olympic Region Clean Air Agency (ORCAA). Cmmr. Sheldon informed everyone that he is the member from Mason County. He said that ORCAA can regulate odor and believes ORCAA will look into any smell/odor issues if necessary. He also thinks SEPA and traffic issues should be addressed. He feels that this issue should be revisited. He also asked about covenants in mentioned area and advised researching to see if there are any.

Cmmr. Neatherlin informed the group that the hearings are posted in the newspaper and on the agendas posted on the Mason County website. He clarified that Mason County does not license people and that these farms will not be selling drugs at their business. He also stated that at the public hearing regarding the marijuana ordinance, there was no opposition.

An audience member stated they didn't know about the hearing that is why they weren't there. She asked why no one informed them directly.

Cmmr. Neatherlin reiterated that these hearings were public and were posted in the newspaper and there were news stories in the Shelton Journal. At the time of the hearing nobody knew which areas these businesses would affect.

Cmmr. Jeffreys stated that she went to four community public meetings soliciting for comments and input regarding this topic. No one gave input. She also explained how they built this ordinance as they were starting from scratch. She explained they did not know where the applicants would choose to locate at that time. There were no secrets it was just unknown. She explained that the Washington State Liquor Control Board does the primary check on applicants. She stated that the only thing Mason County can object to is something that doesn't fall within the ordinance. She also explained the vesting laws. She feels that we need to allow some time to pass to see what may need mitigation as there is a lot of speculation at this time. She would like everyone to continue to give input and to continue to look into ideas to mitigate the impacts on the neighborhood. She added that The United States Clean Water Act will be in effect to keep water clean. Cmmr. Jeffreys thanked everyone for coming.

Cmmr. Sheldon added that we need to draw a fence around this and not allow it to get any bigger. This topic will be revisited in the near future. He stated that he feels this is detrimental to Mason County. He also stated that there is other county business to tend to tonight and this is not a public hearing but a time for citizen input. He said there needs to be an actual public hearing.

Cmmr. Neatherlin stated that he will be around after the meeting if anyone would like to stay to speak to him.

An audience member asked where future meetings and/or hearings would be published.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**June 24, 2014 - PAGE 4**

Jerry Eckenrode from KMAS Radio responded that KMAS News Radio offers a lot of information. She advised that it is 1030 AM and 104.1 FM on your dial and they have a website as well.

Cmmr. Sheldon added that Mason Web TV has information as well as The Journal.

6. Adoption of Agenda - **Cmmr. Sheldon/Neatherlin moved and seconded to adopt the agenda as published. Motion carried unanimously. N-aye; S-aye; J-aye.**
7. Approval of Minutes – Approval of the June 16, 2014 briefing minutes and June 17, 2014 regular meeting minutes. **Cmmr. Neatherlin/Sheldon moved and seconded to approve the June 16, 2014 briefing minutes and June 17, 2014 regular meeting minutes. Motion carried unanimously. N-aye; S-aye; J-aye.**
8. Approval of Action Agenda:
  - 8.1 Approval to schedule a public hearing on July 15, 2014 at 9:30 a.m. to consider amendments to Title 16 (plats and Subdivisions) of the Mason County Code.
  - 8.2 Approval to extend the real estate services agreement with Richard Beckman Real Estate Management to September 15, 2014.
  - 8.3 Approval to replace the roof on Memorial Hall at a cost not to exceed \$20,000. Contract was awarded to Cogent Construction in Shelton, WA.
  - 8.4 Approval to authorize the Deputy Director/County Engineer to sign and submit the grant application to the 2014 call for County Safety Program Projects.
  - 8.5 Approval to authorize the Deputy Director/County Engineer to execute the supplemental agreement #4 to the Local Agency Standard Consultant Agreement with KPFF Consulting Engineers for CRP 1829, Skokomish Valley Road, Hunter Creek Bridge project.
  - 8.6 Approval of the Interlocal Agreement for prisoner confinement services with the City of Forks at a base daily rate of \$45.

**Cmmr. Neatherlin/Sheldon moved and seconded to approve action items 8.1 through 8.6 with the exception of items 8.1 and 8.3 to be removed for discussion. Motion carried unanimously. N-aye; S-aye; J-aye.**

  - 8.1 Approval to schedule a public hearing on July 15, 2014 at 9:30 a.m. to consider amendments to Title 16 (plats and subdivisions) of the Mason County Code.

Brant Oram said he thinks people would be interested in amendments to Title 16 and would like to schedule the hearing so people can attend and aren't at work.

Cmmr. Sheldon suggested that another hearing be added for July 22, 2014 which is an evening meeting; so that others can attend.

**Cmmr. Sheldon/Neatherlin moved and seconded to approve action item 8.1 as amended, to schedule public hearings on July 15, 2014 at 9:30 a.m. and July 22, 2014 at 6:30 p.m. to consider amendments to Title 16 (plants and subdivisions) of the Mason County Code. Motion carried unanimously. N-aye; S-aye; J-aye.**

8.3 Approval to replace the roof on Memorial Hall at a cost not to exceed \$20,000. Contract was awarded to Cogent Construction in Shelton, WA.

Cmmr. Sheldon asked for clarification of the definite funding source.

**BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS**  
**June 24, 2014 - PAGE 5**

John Keates responded that the funds should be \$5000 from historic preservation and the remainder to come from Facilities and Maintenance.

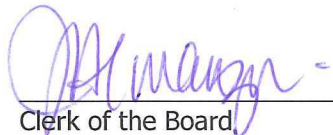
9. **Cmmr. Neatherlin/Jeffreys moved and seconded to approve item 8.3 as amended, to replace the roof on Memorial Hall at a cost not to exceed \$20,000. \$5000 from the historic preservation fund if possible and the remainder to come from Facilities and Maintenance budget. Motion carried unanimously. N-aye; S-aye; J-aye.**
10. 9:30 a.m. Public Hearings and Items Set for a Certain Time – There were no public hearings.
11. Other Business (Department Heads and Elected Officials) – There was no other business.
12. Board's Reports and Calendar - The Commissioners reported on meetings attended the past week and announced their upcoming weekly meetings.
13. Adjournment – The meeting adjourned at 8:15 p.m.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
\_\_\_\_\_  
Terri Jeffreys, Chair

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

ATTEST:

  
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Clerk of the Board

  
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Randy Neatherlin, Commissioner