

RESOLUTION 06-10
DENYING RESOLUTION 09-9
OF BELFAIR WATER DISTRICT #1
ANNEXATION OF CLIFTON RIDGE HOMEOWNERS ASSOCIATIONS
AND VILLAS ON CLIFTON RIDGE

WHEREAS, Belfair Water District #1 (the "District") approved Resolution 09-9 under the authority of RCW 57.24; and

WHEREAS, the District has submitted Resolution 09-9 to the Mason County Board of County Commissioners (Commissioners) for consideration (RCW 57.02.040) and approval (RCW 57.02.045); and

WHEREAS, the District's Resolution seeks to annex Clifton Ridge Homeowners Association and the Villas on Clifton Ridge with the exception of parcel 123325200005 as described therein; and

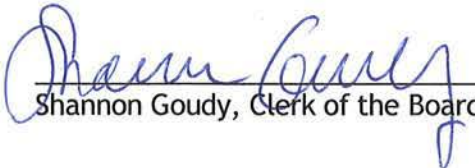
WHEREAS, the Commissioners held a public hearing on February 2, 2010 to review the District's Resolution, consider Staff Reports, and to provide an opportunity for testimony; and

NOW THEREFORE, the Mason County Board of County Commissioners does hereby deny Resolution 09-9 of Belfair Water District #1 for the Annexation of Clifton Ridge Homeowners Association and the Villas on Clifton Ridge as fully described in the attached Findings of Fact.

ADOPTED by the Mason County Board of County Commissioners this 2nd day of February 2010.

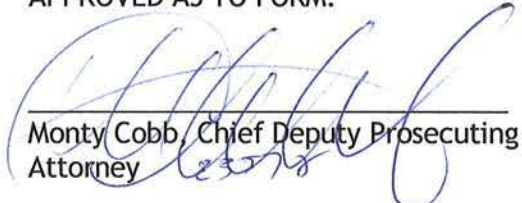
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

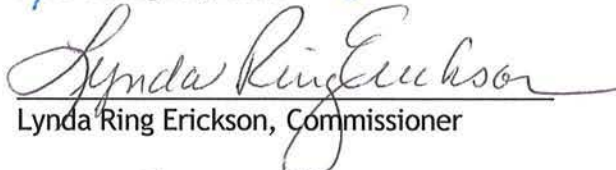
ATTEST:


Shannon Goudy, Clerk of the Board


Ross Gallagher, Chair

APPROVED AS TO FORM:

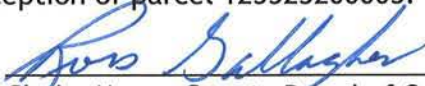

Monty Cobb, Chief Deputy Prosecuting
Attorney


Lynda Ring Erickson, Commissioner


Tim Sheldon, Commissioner

FINDINGS OF FACT

1. On January 8, 2010 the Mason County Board of County Commissioners (Commissioners) received Resolution 09-9 signed by Belfair Water District #1 (the "District") approving the annexation of the Clifton Ridge Homeowners Association and the Villas on Clifton Ridge, with the exception of parcel 123325200005.
2. The Resolution as submitted by the District provided plat maps of the areas to be annexed together with a legal description of the subject properties.
3. Commissioners scheduled public hearing within 30 days of receipt of the Resolution in accordance with RCW 57.02.040.
4. RCW 57.02.040(3) provides criteria for determining the appropriateness of the proposed annexation and gives the Commissioners 60 days after hearing to either approve or disprove the action.
5. A Staff Report was prepared utilizing the criteria and provided to the Board for their consideration. Issues raised in this staff report include:
 - (a) The exclusion of a single parcel (to wit: 123325200005) is in conflict with RCW 36.70A.022(12), Goal 12 of the Growth Management Act, with respect to concurrency. All parcels with the subject area appear to be eligible for annexation, including the specific parcel excluded.
 - (b) The Belfair Wastewater and Water Reclamation Facilities project is currently under construction and scheduled to provide sewer to the annexed properties during Phase IV of construction, including the excepted parcel.
 - (c) Memorandum dated January 13, 2010 to the Board of County Commissioners from Karen Herr, Mason County Auditor, noting errors in the District's Resolution with respect to an incorrect parcel number and legal description, and impacts the lot exemption would have on the election and levy process.
6. The Commissioners held a public hearing on February 2, 2010 to consider District's Resolution 09-9 together with staff's report and public testimony.
7. At the conclusion of the public hearing, Commissioners voted 3 to 0 to deny District's Resolution 09-9 and deny the annexation of Clifton Ridge Homeowners Association and the Villas on Clifton Ridge with the exception of parcel 123325200005.



Chair, Mason County Board of Commissioners
Date: 2-2-10