

**BOARD OF MASON COUNTY COMMISSIONERS' BRIEFING MINUTES**  
**Mason County Commission Chambers, 411 North 5th Street, Shelton, WA**  
**Week of December 19, 2016**

Monday, December 19, 2016

9:00 A.M. Squaxin Island Tribe

Commissioners Jeffreys, Neatherlin and Sheldon were in attendance. Also in attendance: Squaxin Island Tribe – Jim Peters, Vicki Kruger, Jeff Dickison and Kevin Lyons; Public Works – Melissa McFadden, Loretta Swanson, and Sarah Grice and Tim Whitehead, Chief Deputy Prosecuting Attorney.

- Tim Whitehead provided information on the HPA lawsuit which is referred to as a consortium lawsuit, as it is a lawsuit with several other counties and cities. WA State Department of Fish & Wildlife (DFW) has authority to regulate hydraulic activity permitting through RCW 77.55 water ward of the ordinary high water mark (OHM). The consortium believes the rules enacted in July 2015 go beyond their authority; potentially regulate activities above the ordinary high water mark. Melissa McFadden provided the history leading up to the lawsuit. The goal is to have a firm set of rules the County can use to plan their work.

Jim Peters stated the Tribe's goal is to protect fish at all life stages and this goes beyond the ordinary high water mark.

Jeff Dickison questioned if the ordinary high water mark is real issue or is it the uncertainty of how far they want to go. The Tribe is interested in negotiating this issue. He noted it is a challenge to keep up with the DFW HPA process.

Cmmr. Neatherlin believes the County and Tribe can work together to protect the ecosystem and each protect their sovereignty.

Cmmr. Jeffreys acknowledged the county did not feel heard in the rule making process. She needs to support the County's need in this lawsuit and believes there is an opportunity to work with the Tribe on a case by case basis.

Melissa stated there is funding in the Governor's budget has about \$19.5M for fish barrier removal projects and she anticipates one on Coffee Creek in 2018, depending on funding.

Mr. Lyon stated he is not certain the lawsuit will provide a firm set of rules and will likely sacrifice an ally. He doesn't see the statute as over reaching.

Commissioners Neatherlin and Jeffreys do want to hear what the court rules.

Cmmr. Sheldon noted these types of lawsuits usually end up going on to federal court and he supports working together with the Tribe and pooling resources.

There are other regulations that govern the property above the OHM such as the Shoreline Master Plan that has recently been updated.

Mr. Peters acknowledged they have a strong working relationship with Mason County but they do have to work with other counties that affect their natural resources.

- Jeff Dickison brought up the issue of culverts, one issue is design standards. They are willing to work on funding opportunities than compromise on design standards and are interested in pursuing a collaborative effort.
- Cmmr. Sheldon brought up the Simmons Road project and he has met with WSDOT. Mason County may be requesting CERB funding. He is hopeful the County and Tribe can work together to fill in any funding gaps.

Council Member Kruger expressed appreciation for the cooperative relationship with Mason County.

The Commissioners took a 5 minute break.

10:00 A.M. Support Services – Frank Pinter

Commissioners Jeffreys, Neatherlin and Sheldon were in attendance

- Assignments to 2017 Boards/Commissions were discussed. Commissioner-Elect Kevin Shuttly was in attendance. The Chair and Vice-Chair will be selected at the first meeting in January.

Board of Mason County Commissioners' Briefing Meeting Minutes  
December 19, 2016

- Veterans' Service Officer office space in Belfair; request to extend existing lease to June 2017 at same rate of \$600 per month was approved to move forward. This was approved by the VAB on 12/14/16.
- Cell phone policy and contract consolidations will be added to the December 20 Action Agenda.
- Review of 2017 funding request (\$100,000) from Economic Development Council from the Rural Sales & use Tax Fund (.09). Cmmr. Sheldon is in support of the request. Cmmr. Neatherlin stated it's a 47% increase and cannot justify the increase. He stated other entities need to step up to provide additional funding to the EDC. Lynn Longan was in attendance and stated the increase will be used to add a staff member whose priority will be recruitment of new businesses and also work on retaining existing businesses. Cmmr. Jeffreys requested an itemized list for the increase that includes what the existing staff does and why are they precluded from doing the business recruitment. The funding request will be brought back for briefing in 2017.
- Also discussed was spending \$25K to hire someone to complete a physical inventory of county real property. There is funding available in the Current Expense Non-Departmental. This inventory needs to be attested to the accuracy and is due to the Auditor by March 1. Several vendors have been contacted and a draft contract will be brought forward at the January 9 briefing with the request to add to the January 10 agenda so the deadline can be met.
- Review of process for Conflict of Interest Policy and Purchasing Policy. The Vehicle Take-Home Policy will be brought forward in the new year. The policies will need to be amended next year but the State Auditor is requiring we put the policies into place. They will be added to the December 20 agenda.
- Brief discussion of CERB funding for the Simmons Road project. It would have to be a loan/grant combination.
- Jeff Vrabel provided information on a recorded easement he discovered for the Oakland Bay property.
- Jeff also brought up that the Robert Droll contract for work at MCRA may be reduced and if so, they would use the unused funding for fencing.
- There are two positions open on the Parks & Trails Advisory Board and this will be briefed on January 9.
- The agreement with TMBHO for mental health funding to purchase the triage facility is on the December 20 agenda.

11:00 A.M. BREAK

11:15 A.M. Public Works – Jerry Hauth/Melissa McFadden  
Utilities & Waste Management

Commissioners Jeffreys, Neatherlin and Sheldon were in attendance

- Three news releases were reviewed: Accepting applications for Mason County Solid Waste Advisory Committee; New rates for water and sewer utility systems and Free Christmas Tree Drop Off and Recycling at Shelton Transfer Station and Belfair Drop-off Facility.
- Current TIP-CAP membership terms will be extended.
- Purchase of UV Bulbs and other items from UV Doctor for the Belfair Water Reclamation Facility in the amount of \$12,890.89 will be placed on Action Agenda.
- Interlocal agreement with Fire District #12 for equipment or vehicle repairs, maintenance, upfit radio and fueling services will be placed on December 20 Action Agenda.
- Utilities Foreclosure Process Update - working with Treasurer so properties that pay property taxes but not utilities can be included in the foreclosure process.
- Electronic signs on SR 3. Melissa distributed draft WSDOT agreements that include a \$21K participation agreement including maintenance. Public Works will brief in January.
- Use of registered warrants for Belfair Sewer Fund. Cmmr. Jeffreys requested a comprehensive relook at the Belfair Sewer financial plan. The Commissioners requested a recap of Belfair Sewer SEPA meeting held last week in Belfair. Cmmr. Neatherlin questioned if Growth Management Hearings Board would allow River Hill to be removed from the UGA. He brought up commitments to Ecology. Cmmr. Jeffreys stated that in her conversation with Ecology, they said

Board of Mason County Commissioners' Briefing Meeting Minutes  
December 19, 2016

the commitment is to hook up 2,000 ERU's. Cmmr. Sheldon commented that State Highway 3 is looking better and there is a lot of room for development. Cmmr. Sheldon wants to see, in writing, from Ecology that Mason County has to connect the septic to the sewer in a certain time line.

Cmmr. Sheldon left the briefing at 12:27 p.m.

- Request to add to the Capital Facilities Plan a Belfair Sewer project addition. The project includes three lift stations and piping from the existing Port lagoon north of SR 3 to the Belfair Wastewater. This will be included in the December 20 public hearing.

Commissioner Discussion – there was no discussion.

BREAK – NOON

~~2:00 P.M.~~ 2:40 P.M. Community Services – Dave Windom

Commissioners Jeffreys and Neatherlin were in attendance. Commissioner Sheldon was absent. Review of the public hearings that are scheduled on December 20:

- Capital Facilities Plan – chapter of the Mason County Comprehensive Plan. Cmmr. Jeffreys would like to make it a more meaningful plan that coordinates with the budget. Public Works has submitted a request to add the Belfair Sewer project lift station project.
- Order repealing the Moratorium on Medical Marijuana. Discussion of not allowing in child daycare centers.
- Rezone request in Belfair, there were no questions.
- General discussion of code enforcement and how to improve the process.
- Cmmr. Jeffreys asked that the Board be notified when Community Services receives a commercial building permit so she can reach out to the business.


2:30 P.M. Closed Session – RCW 42.30.140(4) labor discussion  
Commissioners Jeffreys and Neatherlin met with Frank Pinter and Dawn Twiddy in Closed Session from 3:20 p.m. to 3:40 p.m. for a labor discussion.

Respectfully submitted,

Diane Zoren, Administrative Services Manager

BOARD OF MASON COUNTY COMMISSIONERS

  
Terri Jeffreys  
Chair

  
Tim Sheldon  
Commissioner

  
Randy Neatherlin  
Commissioner