

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

August 4, 2009

1. Call to Order – The Chairperson called the regular meeting to order at 9:01 a.m.
2. Pledge of Allegiance – Jean Gall led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Lynda Ring Erickson; Commissioner District 2 – Tim Sheldon; Commissioner District 3 – Ross Gallagher.
4. Correspondence and Organizational Business
 - 4.1 Correspondence
 - 4.1.1 The Washington State County Road Administration Board provided estimated revenues for motor vehicle fuel tax and the County Arterial Preservation Program.
 - 4.1.2 The Washington State Department of Natural Resources sent their projection of income from State forest lands.
 - 4.1.3 The Washington State Department of Transportation sent their summary report for the proposed SR3, Belfair Bypass.
 - 4.1.4 The Washington State Liquor Control Board sent notice of a new liquor license application for Wild Bill N Jo's Last Stand in Belfair.
 - 4.1.5 John Borgert is seeking appointment to the Planning Advisory Commission.
 - 4.2 Employee Recognition – Utilities & Waste Management. Tom Moore read a letter from Shirlee Hrica commending Steve Cole, Bill VanBuskirk and Jeff Palmer for their work on a problem with her sewer. Cmmr. Sheldon presented each of the employees with a green star award.
 - 4.3 News Release – Cooling Centers. Charlie Butros presented the news release announcing that cooling stations have been opened at Fire District 2, Fire District 4 and the Public Works office due to extreme hot weather conditions.
 - 4.4 Charlie Butros announced the bid awards for the Sunnyside Road projects. FEMA road project F119 (milepost 1.02) was awarded to Grading & Excavating, Inc. in the amount of \$35,483.81 and project F126 (milepost .87) was awarded to Sound Excavation, Inc. in the amount of \$46,531.80.
 - 4.5 Charlie Butros announced the bid award for the McEwan Prairie Road project. Ace Paving Company, Inc. was awarded the contract in the amount of \$262,089.40.

Cmmr. Sheldon noted that the North Shore Road project is anticipated to be finished the week of August 24, 2009.

Charlie Butros clarified that there is another project further west of the first project that will continue to keep one lane of the road closed.
5. Open Forum for Citizen Input –
 - 5.1 Brenda Hirschi stated on July 21st she asked two questions of the Board and she has not heard back. The first question was what happened to the Current Expense Fund reserve balance and what are the plans to restore it? It is a positive development that the Treasurer has provided a draft fund balance policy for consideration, but there are many people still waiting to find out what happened to the balance. She heard it was spent on the Sheriff. Then she heard the road diversion fund went up for the Sheriff's department.

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Her second question was how is the Department of Community Development going to be restructured to make it sustainable. It appears the Board is working on a band-aid fix. The abatement fund is a one time fix.

Last week she asked whether Public Health needed to take the full \$563,000 for Current Expense in 2009. This is a question that needs to be answered.

Today she would like to talk about the July 2009 expenditure execution. 71% of the total Current Expense budget is for payroll and salaries. There are nine departments or elected officials who are spending their budgets at less than a strait line goal of 58%. There may be some dollars there that can help out Current Expense. By bringing these departments and elected officials to a modest 55% the Board could find \$279,000. That would help out the ending fund balance and special funds wouldn't need to be pilfered.

Some departments and elected officials are overspending their budgets. If they are overspending now they can't catch up. Why is Human Resources at 65%? Last December they had to be bailed out. They have been given a budget they need to be held accountable.

- 5.2 Mary Jean Hrbacek stated she is also concerned about the 2009 and 2010 budgets, but she is taking a different approach. She believes the County has done everything it can do to tighten up the expenditure side. She is looking to the revenue side. The last thing she wants to do is pay more taxes. She has worked with several elected officials and the Department of Revenue in Olympia to check her facts.

There is a misconception that the roads department has their own money. The roads department, not being part of Current Expense fund, has not had to endure the cuts other departments have had to endure. The roads department has an ending fund balance, they get grants and they got more of the property tax money that was collected in 2008 than the Current Expense fund did. The primary determinant of the road fund budget, as well as the Current Expense fund, is what the Commissioners send to the Assessor indicating what the departments need. It is the purview of the Commissioners and the budget they adopt. There are changes that can be made to the roads budget. She recommends that the Board reviews the roads budget the same way they review other budgets and ask them to defer non-essential projects that don't require federal funding.

For 2010 she thinks there should be a levy shift from the roads dept to the general fund. She has spoken with the Assessor and the Department of Revenue and it appears this is doable within the existing levy guidelines. It is important to consider a levy shift because the accounting system for the Auditor's office has been deferred for two years. It is 1988 technology and programs aren't programming for it anymore. The approximate cost to replace it is \$300,000. The Sheriff's office will be required to change it's system for uniform crime reporting as well, which will cost \$50,000. The other concern is the contract settlement with the deputies, who haven't had a contract since 2006. There are significant one time expenses next year and the road levy shift is the way to approach that.

- 5.3 Arthur West stated he has owned property in this county for 5 years and he has never had reason to complain. He thanked the Board for doing a great job during hard economic times. Some of the economic burden involves the court system. As a consumer of the civil justice system he sees they do not have enough money to process the civil or criminal cases as quickly as they would like. He has spoken with the Court Administrator about how the court could run more efficiently and properly and the problem is due to the fact that the court employees don't have enough resources. When making cuts in the County budget he doesn't think the court system should be cut. It is

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imperative that the civil justice system function efficiently and quickly. He wouldn't object to a small increase in taxes if it would contribute to the proper functioning of the court. It hasn't reached a crisis point yet, but he hopes the Board doesn't cut the court system.

Cmmr. Sheldon noted it is difficult to go from the second fastest growing county in the State to the present situation in this recession. There are a lot of financial issues that need to be addressed.

- 5.4 Judge Toni Sheldon stated she oversees four of the budgets in the general fund, Superior Court, Superior Court Indigent Defense, Juvenile Court Probation Services and Juvenile Detention. She is also responsible for a number of budgets in the special funds, the Mason County Law Library, the Family Law Facilitator and the Family Court budget. She also has interest in other special fund budgets, such as the Murder Fund and Mental Health budget. She is interested to know when the elected officials and public will know which of the budgets may be impacted in the hearing scheduled for next Tuesday. She would like to know which areas of the budget will be impacted and in what amounts ahead of time so she can be prepared to come in and comment.
6. Adoption of Agenda - **Cmmr. Gallagher/Ring Erickson moved and seconded to adopt the agenda as published. Motion carried unanimously. RE-aye; S-aye; G-aye.**
7. Approval of Minutes – July 6, July 13, and July 20, 2009 briefing minutes, July 28, 2009 special meeting minutes and the July 28, 2009 regular meeting minutes.

Cmmr. Ring Erickson noted that she was absent from the July 28th meetings and could not make a motion to approve them.

Cmmr. Ring Erickson/Gallagher moved and seconded to approve the July 6, July 13, and July 20, 2009 briefing minutes. Motion carried unanimously. RE-aye; S-aye; G-aye.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve the July 28, 2009 special meeting minutes and the July 28, 2009 regular meeting minutes. Motion carried. RE-abstain; S-aye; G-aye.

8. Approval of Consent Agenda:
- 8.1 Approval for the Director of Utilities and Waste Management to sign an interagency agreement with the Department of Ecology to provide funding in the amount of \$125,000 for the purpose of assisting the Stormwater Work Group to develop a regional stormwater monitoring program.
 - 8.2 Approval for the Director of Utilities and Waste Management to enter into professional services agreements with Leska Fore, Stillwater Sciences, and Herrera Engineering to assist the Stormwater Work Group with the development of a regional stormwater monitoring program. The cost is not to exceed \$124,000 and is funded from a Department of Ecology grant.
 - 8.3 Approval of the interlocal agreement between Mason County and MACECOM for geographic information system (GIS) services data conversion. Compensation for these services shall be at the rate of \$75 per hour, not to exceed \$33,761.
 - 8.4 Approval of Interagency Agreement 0963-67105 between the Mason County Juvenile Court and the State of Washington Juvenile Rehabilitation Administration (JRA) for the 2009-2011 biennium providing funding in the amount of \$6,000 for each year. This is for the Aggression Replacement Training (ART) program.
 - 8.5 Approval of Warrants

Claims Clearing Fund	Warrant #s 160805-160871	\$120,354.87
Salary Clearing Fund	Warrant #s 2755-2766	\$ 16,145.04
Direct Deposit Fund	Deposit #s 14291-14671	\$607,574.50

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8.6 Approval of the following contracts for the 2009 Mason County Fair & Rodeo: Deuce, music festival participant, \$0.00; Affected/Adam Larson, music festival participant, \$0.00; Offshore Radio, music festival participant, \$0.00; Anna's Bay Center for Music, music festival participant, \$0.00; Radio Service, music festival participant, \$0.00; Mary Celeste Band, music festival participant, \$0.00; Lance Shafer/Dokter O, music festival participant, \$0.00; Sideways Reign, music festival participant, \$1,000.00; Mystic Roots, music festival participant, \$500.00; Kelly Lester/Wally Moon, music festival participant, \$250.00; Kursa Latvian School, for entertainment, \$0.00 + beverage coupons; Lynn Hannah, professional services, \$600.00; Old Time Fiddlers, entertainment, \$0.00 + free vendor space; Morning Star Lions, professional services, \$1,100.00; Blue Ridge Mountain Fiddlers, entertainment, \$300.00; Civil Air Patrol, professional services, \$400.00; Walkin H Productions, professional services, \$150.00; Hood Canal Community Church Group, professional services, \$200.00; and Image In Action Design, professional services, \$3,000.00. For a total of \$7,500.00, these amounts are budgeted in the Fair budget.

Cmmr. Ring Erickson stated she would like item 8.6 removed for further discussion.

Cmmr. Sheldon asked why several of the contracts in item 8.6 were for \$0.

Brooke Ogg, Mason County Fair, clarified that this year in an effort to save money they had a music festival. All of the bands played for nothing upfront. They were competing for prizes for \$1000, \$500 and \$250. Only the groups that won prizes have a dollar amount on their contracts. The fair signed a contract with each group in case there were any issues.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve Consent items 8.1 through 8.5. Motion carried unanimously. RE-aye; S-aye; G-aye.

Cmmr. Ring Erickson/Gallagher moved and seconded to approve item 8.6, with the exception of the contract with Lynn Hannah for professional service in the amount of \$600.00, which is tabled. Motion carried unanimously. RE-aye; S-aye; G-aye.

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

9.1 Public hearing to consider the supplemental appropriation to the 2009 budget for the Employee Appreciation Fund due to a \$750 donation received from the Squaxin Island Tribe.

Diane Zoren, Central Operations, is seeking approval of the budget order to place the \$750, which is a donation from the Squaxin Island Tribe, into the Employee Appreciation Fund.

Cmmr. Ring Erickson clarified that this is money that was given to the County by the Tribe to put on the employee appreciation breakfast.

There were no questions for staff or public testimony.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve the supplemental appropriation to the 2009 budget for the Employee Appreciation Fund due to a \$750 donation received from the Squaxin Island Tribe. Motion carried unanimously. RE-aye; S-aye; G-aye. Budget Order (Exhibit A)

Cmmr. Ring Erickson thanked the Tribe and stated this is an event the employees have looked forward to for many years. The County doesn't have the money anymore and the Tribe was very gracious.

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- 9.2 Public hearing to consider adoption of a resolution revising Resolution No. 136-98, "Establishment of Abatement Repair/Demolition Fund".

Barbara Adkins, Department of Community Development Co-Manger, stated this resolution was adopted in 1998 to establish the abatement repair and demolition fund. In April of 1999 there was a memorandum from the Commissioners that established that all building code enforcement penalties would be deposited into this fund to be used for abatement and demolition projects, as established by State and local building codes. Over the last ten years the fund has accrued approximately \$261,000.

She is asking the Board to consider revising the resolution to effect how the department puts money into the account and spends money out of the account. All of the revenue that comes from building code enforcement goes into this account. The site investigation fee would go directly into the account, but other fees association with enforcement penalties could be retained in the department's general budget account. They would like to expand how they spend this money to include the staff time used to process building code enforcement activities. Right now all of the money collected by the building code enforcement officer goes into this fund.

Questions for Staff

Cmmr. Gallagher asked what the average amount of time is that staff spends on enforcement activities.

Ms. Adkins stated it is one person's full time job. It is 8 hours a day, 5 days a week.

Cmmr. Sheldon asked if this action were taken could the money be used to pay staff salaries.

Ms. Adkins stated it is not enough to pay their salaries, but it would help put something back in revenues.

Cmmr. Sheldon asked if the entire amount in the fund would be moved.

Ms. Adkins stated they would not let the fund go below \$35,000. There is another bond for \$10,000 for a specific project. They could transfer anything above that.

Cmmr. Ring Erickson stated for the last three and half years they have been trying to move Community Development to an enterprise fund. This is part of the operation that has not had the full cost recovery feature. Consequently they continue to run into a hole. It's not appropriate to ask people who get legal permits to pay for the enforcement of those that don't follow the law. This is a way to transfer the burden of paying for enforcement to the people that violate the law.

Cmmr. Sheldon stated he's afraid that this would put more money into a department that is now spending more money that it is bringing in. It is a one time infusion of cash and unless there are reductions in spending in Community Development, the department will continue to bleed money from the ending fund balance. He would prefer that the entire fund go to the ending fund balance. He noted that this is the proper procedure to go through with special funds, to amend the resolution and then go through with the action.

Ms. Adkins stated it is her understanding that this would give them the ability to transfer the money and then the budget would have to be amended to balance back out.

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Cmmr. Ring Erickson agreed this is the appropriate way look through these funds. To have the discussion, revise the policy and really understand what is going on with each of the funds.

Brenda Hirschi asked if this would make a difference in the department's 2010 budget.

Ms. Adkins stated she doesn't know the dollar figure, but amending the language will allow them to increase their revenue. She would need to look at the history of the fund.

Cmmr. Sheldon stated this \$261,000 has built up over 11 years and there have been abatements. It might be about \$20,000 a year.

There was no public testimony.

Cmmr. Ring Erickson/Gallagher moved and seconded to adopt the resolution revising resolution 136-98, Establishment of Abatement Repair/Demolition Fund, Fund No. 118-000-000, to allow expenditures to include reimbursement of staff time expended in the processing of building code enforcement activities, with revisions to Attachment A, the fees in item 3 should be redeveloped to show a full cost recovery for staff time plus 10% and item 7 should read \$45,000 instead of \$35,000. Motion carried unanimously. RE-aye; S-aye; G-aye. Resolution 67-09 (Exhibit B)

9.3 Public hearing continued from July 14th to consider revisions to the Mason County Curbside Recycling Ordinance.

Cmmr. Sheldon noted that he provided an alternative ordinance to staff. It would make the curbside recycling voluntary.

David Baker, Utilities and Waste Management Program Manager, stated this hearing is about four amendments to Ordinance 147-08. It is not about rates for service. There are three agencies involved in these discussions. Mason County is responsible for setting a minimum service level ordinance that defines the service that is available to the community. The Utilities and Transportation Commission is a State agency that has regulatory authority over rate setting. The third agency is a private company, Mason County Garbage, who provides the service. These three agencies are like tools, each does a specific job. The goal is to provide a service for the community.

The State of Washington has identified a recycling goal for its residents of at least 50%. The goal was reinstated at the State level in 2007. As a result, one of the funding mechanisms Mason County benefits from is grants for the development of recycling programs. One of the ways these programs are identified is through the Solid Waste Management Plan. The Plan is developed by staff with the Solid Waste Advisory Committee to be compliant with State regulation and goals. The Plan establishes that recycling opportunities need to be available for residents. Among the recommendations was to establish a curbside recycling program. Curbside recycling has been proven nationally to have the highest participation, the most material recycled and the least contamination.

The blue boxes have a lot of contamination. The blue boxes were originally funded by a grant from the State. The grant has been shrinking over time so the cost of that service is increasingly on the County. Because of the limited number of options in the county, the blue box program has been kept alive longer than it should have. The program cost was over \$100,000 in 2008. There are fewer sites and they are further being reduced in September. One reason is there is no money and now there is another option available. With the alternative now viable the County has the

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opportunity to recover some of the expense of the blue box sites. This model has been used effectively by our neighbors and on a national level.

The four amendments to the resolution being proposed today include the code number. The ordinance was filed under Chapter 6 in the County Code and it should be under Chapter 13. The second item is the implementation schedule. Originally it was going to be phased in over a period of years. The hauling company has offered to provide the service countywide immediately. The Solid Waste Advisory Committee and staff were supportive of that action. The third item is the materials accepted. Due to drastic changes in the recycling markets the dairy tub will no longer be an accepted material. The fourth item to consider is the commodity credit. This is a rebate given back to customers to encourage their participation in the program. The commodity credit is being divided 30% to 70%, in favor of the customer. The hauler will retain up to 30% with the understanding that some of that money will be used to provide the recycling of glass. Glass will be collected at the County sites.

At the last hearing on July 14th there was a letter written to the Utilities and Transportation Commission with several questions. The UTC responded on July 31, 2009 with answers to those questions. Mr. Baker read the questions and answers received from the UTC.

The four amendments are what are before the Board today and there are a couple of options. To approve the amendments as presented, to not approve the amendments or to recommend further amendments to address the voluntary participation. It is the staff's opinion that additional amendments would require another public hearing. It would also delay implementation.

Questions for Staff

Cmmr. Sheldon asked if this program were voluntary, would it meet the State goal of 50%.

Mr. Baker answered no. Historically the drop box program has had a recycling rate of about 5%. Curbside recycling programs typically achieve 25-75% recycling rates. It is his understanding that when Mason County Garbage offered recycling on a voluntary basis the subscription rate was in the neighborhood of 10%.

Mike Johnson stated he used to own Mason County Garbage so he is familiar with the State regulations. One thing to consider when discussing a voluntary basis is the State regulates the rates. A voluntary system would make the rates higher, which would further reduce the participation. The cost is the same to the company for equipment regardless of how many customers participate. That is why other counties went with the mandatory program.

Sandy Fredrickson stated she understands the concern regarding senior citizens and nobody wants taxes to go up. If this is a concern, what research has been done to help the senior citizens aside from not making the program mandatory?

Cmmr. Sheldon stated he has listened to constituents. He thinks seniors could get together to combine their recycling to avoid an increase. Most of the seniors he knows are on a fixed income. There is still time to make changes to the ordinance. He voted for the mandatory recycling originally, but he doesn't think he had enough information. He made a mistake with his vote and he wants this opportunity to rectify it.

An audience member stated he used to recycle at the bin at Red Apple. The bin there was almost always full. If the bins are always full how is the 5% recycling rate calculated.

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Mr. Baker answered there were 12 blue box sites that were full on a regular basis. Service included a driver and truck coming out to replace the bin. The busier the site, the more the service costs. People also needed to be sent out to keep the boxes clean. Maintaining the site was problematic. Overall, when all of the garbage processed at the facility is compared to how much recycling was processed, all of the blue boxes combined worked out to be about 5% of the total waste processed in the county.

An audience member asked about senior citizens, those on a fixed income and the disabled. How are they going to handle a 96 gallon can?

Mr. Baker stated he agrees. One of the concerns is that the program is a one sized fits all. It is not going to work for everyone. There are allowable exemptions written into the ordinance and there are smaller size containers available.

An audience member asked if the goal is 50% recycling participation.

Mr. Baker clarified that the goal is 50% material recovery.

An audience member stated she used to recycle in Kitsap County and there were small bins. Is there a way to do something like that?

Rik Fredrickson, Mason County Garbage, stated they did have a program that used the smaller bins but most people didn't like it because there were three separate bins and you had to separate the materials. There was a greater participation rate with one cart and material doesn't blow around the neighborhood.

Cmmr. Sheldon called a recess at 10:29 a.m. The meeting reconvened at 10:41 a.m.

An audience member asked if how many counties in Washington have this as a mandatory program.

Mr. Fredrickson stated on the west side of the mountains most of the programs are mandatory.

An audience member asked what county Mason County compares to in order to set a rate.

Mr. Fredrickson stated it is his understanding that the company submits their costs, miles driven etc, that's where the rates come from.

Eddie Westmoreland, Waste Connections, stated the same program is being rolled out in Island County and they are being used as a comparison.

An audience member asked if it would be mandatory in Island County and have they looked at alternatives.

Mr. Westmoreland answered yes it will be mandatory. A voluntary program would be \$16 per month with less than 10% participation. They are recycling similarly with a box program. This is the best, most cost effective way to provide the service. The company's collection revenues will go down with this proposal because of people reducing their garbage service. People still have the choice to not subscribe to garbage service and self haul to the transfer station. The State sets the rates and keeps costs at a minimum. The company hasn't raised garbage rates in the last eight years in Mason County. They are not here to make a ton of money. Recycling commodities have gone down 85% since November.

An audience member asked if it costs the County \$100,000 year for blue boxes, what will this program cost the County.

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Mr. Baker stated curbside recycling wouldn't be the responsibility of the County so they would only maintain the expense of the blue boxes. With this proposal the blue box sites would be scaled back, so annual operating costs should be reduced from \$100,000 a year to about \$50,000. The County is not profiting in any way from the new program.

An audience member stated the terrain of Island County is nothing like Mason County so how can they be compared. Mason County is considerably larger.

Mr. Westmoreland stated length-wise Island County is a little bit longer than Mason County. The terrain isn't taken into consideration. It is the distance traveled between customer collections. Island County will also have a higher rate.

An audience member asked it has been determined how many subscribers Mason County Garbage will lose if this becomes mandatory.

Mr. Fredrickson stated they have already had approximately 200 people stop their service and they estimate about 500 people total will stop their service. In conversations with their customers they have been able to show that by participating in the recycling they can change their garbage service levels and save a little money. There have been more people that have changed their service level that way.

Cmmr. Ring Erickson went over the statistics of Island County versus Mason County and noted they are comparable counties.

An audience member asked if the reason the blue boxes are being taken away is because lack of grant money. Could taxes be raised \$2 per person in order to pay to keep the blue boxes?

Mr. Baker stated they have less grant funding to support the blue box program. They will only be able to maintain 4 blue boxes in the county. There are jurisdictions where tax assessments are used to fund utilities such as garbage service. He hasn't fully explored that option given the current economic climate for adding taxes. It isn't a model used in Washington State as far as he is aware of.

An audience member asked if this is being done because it is a State mandate or because it is the best thing for the county.

Mr. Baker stated the County is mandated by the State to have a recycling program and to make it's own determination on what will be an effective program. It is the longstanding opinion of staff and the State that a 5% recovery rate is not acceptable. This model has been proven to increase the recovery rate so that is why the County is looking at this strategy.

An audience member asked if making this mandatory will encourage illegal dumping.

Mr. Fredrickson stated he doesn't believe it will. He believes illegal dumping is a result of laziness and a lack of respect for the environment and neighborhood. It is not a cost issue.

Cmmr. Gallagher asked if the majority of customers have a weekly garbage rate.

Mr. Fredrickson stated the majority of customer have one 32 gallon can weekly. It would cost \$21.06 per month with recycling for that service.

Cmmr. Gallagher asked if garbage service were cut back to once per month, because more is going into recycling, what would be the rate.

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Mr. Fredrickson stated that rate would \$11.55.

Cmmr. Ring Erickson asked what rate relief is available for low income people through the Community Action Council.

Emmett Dobey, Utilities and Waste Management, stated two utility rate discounts are allowed per year for individual customers through the Community Action Council.

An audience member asked what a 20 gallon can with recycling would cost for once per week pick up.

Mr. Fredrickson stated the mini can would reduce the rate by about \$2.

Public Testimony

Gerald Hard criticized the process used to implement this program. He has reviewed the Mason County Commissioners' meeting minutes from October 2008 through July 2009 regarding recycling. He read aloud several passages of the meeting minutes. In general, it appears to him that the Mason County government wants a mandatory recycling program and has implemented it with a policy to ensure minimum citizen participation in the decision. His review of 40 weeks of Mason County Commissioners' meeting minutes reflects recycling addressed in only 4 meetings. It had to have been worked offline for sometime. The vote for the original ordinance was schedule for December 23, 2008 during the holidays and bad weather, ensuring minimal attendance. He thanked the Board for holding this meeting and having the Utilities and Transportation meeting rescheduled.

Larry Blackerby is representing both his wife Beatrice and himself. He is adamantly opposed to the mandatory requirement of this ordinance. He has cancelled his service with Mason County Garbage. If Commissioner Sheldon can get the support another Commissioner to pass the revision to make this a non-mandatory program he will reconsider his garbage service. He will continue his recycling at Wilson Recycling Company.

Sandra Dahlquist stated she emailed all three Commissioners and received a nice response from David Baker. She also received a response from Commissioner Gallagher and Commissioner Ring Erickson. She has not heard from her own Commissioner, Tim Sheldon. She read aloud the email she sent to the Commissioners. She asked the Board to consider the demographics and age of the constituents. They are not up to carrying these heavy cans. She has a steep winding driveway so she contacted Mason County Garbage. They can either deliver a 64 gallon cart, which she cannot handle, or for a price they will drive up her driveway. She just resurfaced her driveway so she cannot have a heavy truck coming up it. She urges the Board to reconsider the mandatory program. She is voluntarily recycling already. She has cancelled her garbage service.

Janet O'Conner stated she is in support of mandatory recycling. If this meeting were at a different time of day when people weren't working, there would be more people here to support it. All of the people she knows are in support of this.

Dave Shepherd stated his concern with the program is the mandatory portion. He would probably opt to have the program but he doesn't like the mandatory portion. He already recycles and does yard waste composting. He also has a concern about the size of the container. The cost of a 64 gallon can is the same as a 96 gallon can. He suspects that education is part of the problem. Everyone needs to know what's in it for the individual. He encourages the Commissioners to adopt Commissioner Sheldon's amendment.

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Tracy Farrell works for the City of Shelton and runs their recycling program as a coordinator. She is in support of a mandatory program. It is a practical and effective way to increase the materials diverted from the solid waste stream. It provides a service to the entire county at the lowest cost. She has managed to reduce costs to the City and its residents, and increase recycling volumes and participation. The cost saved are by way of reduced tipping fees and transportation costs. It is a worthwhile program. It is the best way to go for the entire county.

Rik Fredrickson, Mason County Garbage, stated he hopes he addressed most of the issues and questions people have. People get the agencies confused. They are a regulated utility and their rates are set by the State. Other utilities have base prices and then add on rates. PUD bills, phone service and cable service all have a base prices. This Board has taken the lead to protect the environment of the county. This recovers more recycling and makes it more convenient for people who can't get to a transfer station to recycle. If you realistically look at the cost involved with the service and the convenience of the cart, for \$7 a month you will see it wouldn't be economical to load up your car and drive to the transfer station. There has been a lot of misinformation about their company in letters to the Journal. The company that owns Mason County Garbage is called Waste Connections. They are based out of Fulsom, California and they employ 27 men and women from this community. They return 4 million dollars a year to the county in the form of wages, fuel, rent, etc.

Mike Johnson voiced his support of the curbside program in the in the proposed, non-voluntary way. He believes the voluntary method is a mistake. The rate would be so high that it would be contrary to what is trying to be accomplished.

Conley Watson would like to table this to leave it as a voluntary program right now. There needs to be more concrete answers from the UTC.

Marlene Hohn stated there are 5 people on top of her hill and it is a narrow gravel road. There is no room for the bins at the bottom of the hill. She is concerned about leaving the recycling bins at the bottom of the hill because people will put garbage in them. They are big recyclers and use the blue bins constantly. She doesn't care about the price but they have a problem they don't know how to solve.

Chris Giraldes stated he is the operations manager at Mason County Garbage. He has discussed the program with a lot of people over the past several months. Most of the time when people call they are totally against the program, but it is a matter of education. Once people understand a little more they change their minds. When people get used to it, it will be a great program. It would be detrimental to the county, the community and the environment if this doesn't go through.

Steve Bloomfield thanked Mason County Garbage for doing a great job. He thinks there are other considerations to take into account. People are spending \$8 to get \$2 worth of garbage out of these bins. Recycling is a net loss with truck costs, labor costs, material cost, traffic flow and other issues. It's not cut and dry. This is just exchanging one thing for another.

Eddie Westmoreland, Division Vice President for Waste Connections, thanked everyone for their thoughtful testimony. He oversees the company's Western Washington assets. He also sits on the State Solid Waste Advisory Committee. What is being talked about is real recycling for Mason County in the most cost effective manner possible. Some important considerations for the County to keep in mind are the cost of the blue box system, which is only recovering 5% of the total waste stream. The State has adopted the Beyond Waste Plan, which mandates that everyone get to 0% waste in the future. 5% recovery won't get to that goal. The other potential cost is not adopting a reasonable program that gets closer the 50% levels. The State could withhold the County's coordinated prevention grants from the

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
August 4, 2009 - PAGE 12

Department of Ecology, which will impact ratepayers. The savings is a reduction in tip fees from shipping out 95% of waste to a landfill in Eastern Washington.

The County will save approximately \$100,000 on eliminating the blue box system. Some of those funds could be used to offset the costs of the program to the elderly or those on fixed income. His company, due to State statutes, cannot grant those exemptions. In the ordinance that was adopted there are options for those with long driveways and limited mobility. If you can get your garbage can to where it is picked up he can provide a label for another garbage can to pick up recyclables in. The cost of the service is most effective as a mandatory program. There would be no meaning full participation if it were not mandatory. The company is committed to Mason County and making this program a success. Keep this a mandatory program so the rates stay low and it is an environmental sustainable and economically sustainable program.

Cmmr. Gallagher took the gavel for the Chair to make a motion.

Cmmr. Sheldon stated he did vote for recycling to be mandatory last year. He has heard from citizens and he believes if he had that vote to do again he would do it differently. He admits his mistake. He would like to allow this to be voluntary. The way the program has been presented today would be a good fit for many people in the county, but he would like options for the individuals that have contacted him with concerns. It is an increase for people's budgets. When other people realize that, there will be an outcry and a need for a lot of education.

Cmmr. Sheldon made a motion to amend Ordinance 147-08 to add the phrase "but allows for voluntary participation in curbside recycling" after "Whereas this ordinance enacts a level of service which cover all residents in Mason County", to strike "integral" and insert "voluntary" in Exhibit A, Section 1 B, number 1, to add "Residents requesting curbside solid waste service may opt out of curbside recycling service" to the beginning of the paragraph in Section 3 A, number 3, and to strike "all" and add "recycling programs for those solid waste customers choosing the curbside recycling option" to the first paragraph of Section G.

The motion died due to a lack of a second.

Cmmr. Gallagher read the background material provided regarding the proposed amendments.

Cmmr. Gallagher made a motion to approve the minimum levels of types of service for the collection of residential recyclable materials in the urban and rural areas of Mason County, excluding the City of Shelton, through a residential collection program as set forth in Exhibit A, attached to the latest ordinance.

Cmmr. Ring Erickson made a friendly amendment to Commissioner Gallagher's motion to amend ordinance 147-08 relating to minimum levels of service to include four technical amendments supporting a basic policy change in December of last year, with instruction to staff to work with the Utilities and Transportation Commission to look for a senior rate and to work with the hauler to provide the best levels of service.

Cmmr. Sheldon noted the code revision should be part of the motion.

Cmmr. Gallagher withdrew his motion.

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
August 4, 2009 - PAGE 13

Cmmr. Ring Erickson/Gallagher moved and seconded to approve the amendments to Ordinance 147-08, to remove Chapter 6.72.045 and create Chapter 13.30 to replace the former chapter and implement Exhibit A. Motion carried. RE-aye; G-aye; S-nay. Ordinance 68-09 (Exhibit C)

10. Other Business (Department Heads and Elected Officials) –
 - 10.1 Cmmr. Ring Erickson instructed Utilities and Waste Management staff to work with the Utilities and Transportation Commission to develop a senior or low income rate for Mason County Garbage customers and also to work with Mason County Garbage to provide the largest number of options available.
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 12:02 p.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

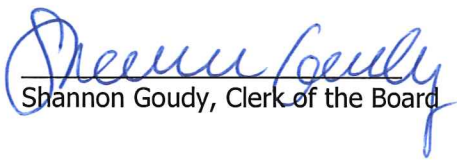


Tim Sheldon, Chair



Lynda Ring Erickson, Commissioner

ATTEST:


Shannon Goudy, Clerk of the Board


Ross Gallagher, Commissioner

ORDER
2009 Budget

IN THE MATTER OF:
SUPPLEMENTAL APPROPRIATION - NOTICE OF HEARING
RESOLUTION NO. 59-09
DATED AND PASSED: **July 7, 2009**
FOR SUPPLEMENTAL APPROPRIATION OF: **Employee Appreciation Fund \$750**

WHEREAS, a notice was published and a public hearing was held in accordance with RCW 36.40.100 and RCW 36.40.195 and with Resolution No. 59-09 (see Attachment B which is incorporated as part of this order).

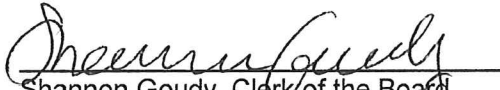
THE BOARD OF COUNTY COMMISSIONERS OF MASON COUNTY, hereby approves the supplemental appropriation to the Employee Appreciation Fund in the amount of \$750.

BE IT FURTHER RESOLVED that this Supplemental Appropriation will be expended and recorded in the 2009 budget as listed in Attachment A which is also incorporated as part of this order.

PASSED in open session this 4th day of August, 2009.


BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:


Shannon Goudy, Clerk of the Board


Tim Sheldon, Chair

APPROVED AS TO FORM:


Monty Cobb, Chief Deputy Prosecuting
Attorney


Lynda Ring Erickson, Commissioner


Ross Gallagher, Commissioner

C: Auditor
Treasurer
Employee Appreciation Fund

Supplemental Appropriation:

102-000-000	Employee Recognition Fund	
Resources:		
367.11.00.0000	Contributions & Donations from Private Gifts, Pledges. (Squaxin Island Tribe)	\$750
Uses:		
517.90.31.0010	Employee Recognition Supplies	\$750

RESOLUTION NO. 59-09
2009 BUDGET

Attachment B

SUPPLEMENTAL APPROPRIATION - NOTICE OF HEARING

WHEREAS, by reason of conditions which could not be reasonably foreseen at the time of making the budget for the year 2009, it is necessary to make provision for supplemental appropriation to the budget as required by RCW 36.40.100, and RCW 36.40.195 for the following:

Donation received from the Squaxin Island Tribe for the Mason County Employee Appreciation event.

THEREFORE, BE IT RESOLVED BY THE Board of Mason County Commissioners:

That the 4th day of August, 2009 at the hour of 9:30 a.m in the Mason County Commissioners Chambers in Courthouse Building I, 411 North Fifth Street, Shelton, Washington, is hereby fixed as the time and place for a public hearing upon the matter of a supplemental appropriation to the 2009 Budget as follows:

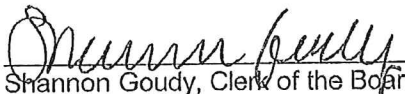
- Employee Appreciation Fund in the estimated amount of \$750.


The Clerk of the Board is hereby authorized, empowered, and directed to cause notice of such hearing to be published as provided by law.

DATED this 7th day of July, 2009.

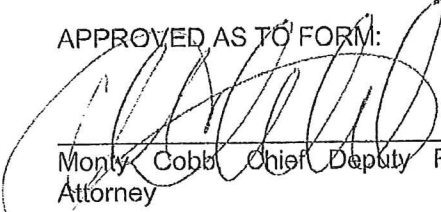
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


ATTEST:


Shannon Goudy, Clerk of the Board


Tim Sheldon, Chair

APPROVED AS TO FORM:


Monty Cobb, Chief Deputy Prosecuting Attorney


Lynda Ring Erickson, Commissioner


Ross Gallagher, Commissioner

C: Budget
Auditor
Treasurer
Employee Appreciation Fund

Publish 2x 7/16 & 7/23 – bill to Mason County Commissioners, 411 North 5th Street, Shelton

EXHIBIT A

RESOLUTION NO. 67-09
REVISING RESOLUTION 136-98
ESTABLISHMENT OF ABATEMENT REPAIR/DEMOLITION FUND
FUND NO. 118-000-000

WHEREAS, Resolution 136-98 established the Abatement Repair/Demolition Fund as Fund No. 118-000-000 on December 29, 1998; and

WHEREAS, this fund has continued to exist and increase through the collection of building code enforcement penalties (fees and fines) as directed by Memorandum of the Board of County Commissioners dated April 26, 1999; and

WHEREAS, establishment of this fund provided it be used for the costs of "abatement, repair, and/or demolition of property as deemed necessary by the Building Program"; and

WHEREAS, this Resolution seeks to revise Resolution 136-98 to allow payment from this fund to include costs and activities related to the processing of building code enforcement actions as deemed necessary by the Director of Community Development; and

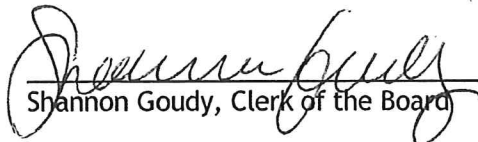
WHEREAS, the fund will continue to accrue through building code enforcement activities and will be administered by Department of Community Development as described in ATTACHMENT A.

NOW THEREFORE, the Mason County Board of County Commissioners does hereby revise Resolution 136-98 establishing the Abatement Repair/Demolition Fund (118-000-000) to be administered by the Department of Community Development as outlined in this Resolution, and more specifically in ATTACHMENT A.

IT IF FURTHER ESTABLISHED THAT the Director of Community Development will administer this fund and pay proper expenses from this fund as approved by the Mason County Board of County Commissioners.

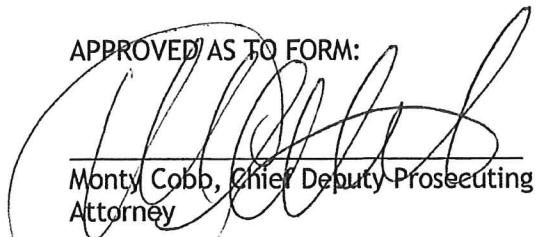
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

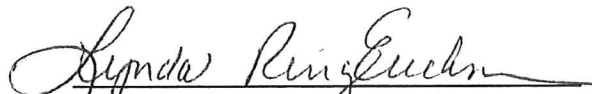
ATTEST:


Shannon Goudy, Clerk of the Board


Tim Sheldon, Chair

APPROVED AS TO FORM:


Monty Cobb, Chief Deputy Prosecuting Attorney


Lynda Ring Erickson, Commissioner


Ross Gallagher, Commissioner

EXHIBIT B

ATTACHMENT A

RESOLUTION No. 67 -09
REVISING RESOLUTION 136-98
ESTABLISHMENT OF ABATEMENT REPAIR/DEMOLITION FUND
FUND NO. 118-000-000

The following describes Mason County's policies and procedures with respect to the administration of the Abatement Repair/Demolition Fund (Fund No. 118-000-000).

1. This fund was established by Resolution 136-98 on December 29, 1998 and revised by Resolution 67 -09 on AUGUST 4, 2009.
2. This fund shall be administered by the Director of the Department of Community Development as approved by the Mason County Board of County Commissioners.
3. All site investigation fees received as a result of building code violations and/or enforcement actions shall be deposited into this fund. Investigation fees are established by the Department of Community Development and adopted by the Board of County Commissioners.
4. Other fees or fines associated with building code violations, enforcement, or abatement activities shall be deposited into this fund as authorized by the Director of Community Development, and approved by the Board of County Commissioners.
5. Director of Community Development shall administer payment from this fund for costs of abatement, repair, and/or demolition of property as deemed necessary and as authorized by local building codes and state statutes.
6. Director of Community Development shall further administer payment from fund for costs and activities associated with the intake, investigation, and processing of enforcement actions associated with violations to the Mason County Building Code (MCC Title 14). This includes, but is not limited to, the reimbursement of staff time expenditures.
7. The Director of Community Development shall not request and the Board of County Commissioners shall not approve payment of funds for non-abatement activities, as described in paragraph 6, in an amount that would reduce the remaining balance of the fund to below \$45,000.
8. The Director of Community Development shall administer this fund and pay proper expenses from this fund, as outlined above, and as approved by the Mason County Board of County Commissioners.



Tim Sheldon, Chair
Mason County Board of County Commissioners

Date: AUGUST 4, 2009

ORDINANCE NO. 68-09

AMEND ORDINANCE 147-08 relating to minimum levels of service for residential recycling collection, removing Mason County Code, Chapter 6, Section 72, subsection .045, and creating Chapter 13, Section 30.

WHEREAS, to better provide services for residents by offering convenient collection of mixed materials, and

WHEREAS, the most successful model for said service is now available

WHEREAS this ordinance enacts a level of service which covers all residents in Mason County

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR MASON COUNTY as follows;

The Mason County Code is hereby amended to read as follows:

Chapter 6.72.045 is now removed
Chapter 13.30 is now created to replace the former chapter

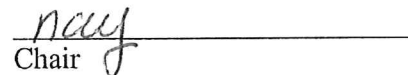
Minimum Level of Service for Residential Recycling Collection.
The minimum levels and types of services for the collection of residential recyclable materials in the urban and rural areas of Mason County, excluding the City of Shelton, through a residential collection program is set forth in Exhibit "A", attached and incorporated into the latest ordinance codified in this section and on file in the office of the clerk of the board of county commissioners.

ADOPTED: AUGUST 4, 2009.

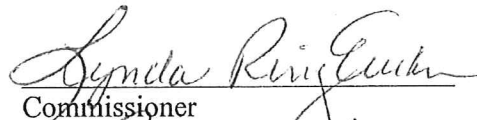
ATTEST:

BOARD OF COUNTY COMMISSIONERS
Mason County, Washington

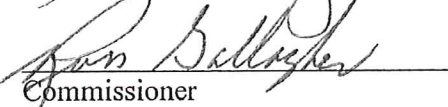

Clerk of the Board

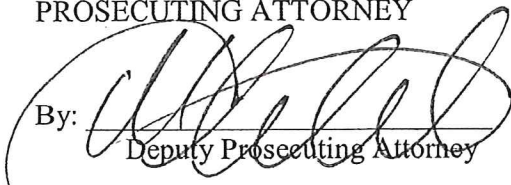

Chair

APPROVED AS TO FORM:


Commissioner

PROSECUTING ATTORNEY


Commissioner

By: 
Deputy Prosecuting Attorney

MINIMUM LEVELS OF SERVICE FOR RESIDENTIAL RECYCLING
COLLECTIONSection 1. Purpose and Intent

- A. The purpose of this chapter is to define minimum levels of service for curbside recycling collection, which shall be provided to households serviced by the solid waste collection company operating in the urban and rural areas of Mason County.
- B. It is the intent of the Commission to:
1. Establish residential recycling programs as an integral component of the collection of solid waste, incorporating the State's goals to make "source separation of waste a fundamental strategy" and to "make recycling at least as affordable and convenient to the ratepayer as mixed waste disposal."
 2. Increase diversion of recyclables from single-family and multi-family residences, and condominiums in Mason County.
 3. Make recycling easier and more convenient for residents through use of efficient collection systems;
 4. Retain low-cost strategies to encourage participation;
 5. Encourage the private sector to develop and operate the recycling facilities that are needed to process and market recyclables collected in Mason County and its cities and towns

Section 2. Definitions

For the purposes of this Chapter, certain terms, phrases, and words, and their derivatives, shall have specific meanings as defined in this Section. Terms, phrases, and words used in the singular shall also apply to the plural. Terms, phrases, and words used in the plural shall also apply to the singular.

- A. "Automated recycling container or cart," means a wheeled, plastic receptacle designated for the collection of recyclables and designed to be picked up and emptied by mechanical means into the company's collection vehicle.
- B. "Automated Collection" means a route serviced by a vehicle with mechanical means to pick up garbage and recycling at the customer's residence.
- C. "Cities" means the cities and towns within Mason County that have signed interlocal agreements with the Board of County Commissioners to adopt and implement the *Mason County Solid Waste Management Plan*.

- D. "Commodity credit" means the amount of recycling revenue returned to residential customers from the sale of recyclable materials collected through curbside residential programs, as required by the Washington Utilities and Transportation Commission.
- E. "Mobile Home Park" means a tract of land designed and maintained under a single ownership of unified control where two or more spaces or pads are provided solely for the placement of mobile or manufactured homes for residential purposes with or without charge. The mobile home park is billed for solid waste collection service as a whole and not by individual dwelling units.
- F. "Multi-family residence" means any residential structure containing two or more dwelling units with the units joined to one another and where the structure is billed for solid waste collection service as a whole and not by individual dwelling units. This may include, but is not limited to, apartments and condominiums.
- G. "Recyclable materials" or "recyclables" means those solid wastes that are separated for recycling or reuse and thus diverted from landfill disposal.
- H. "Recycling rate" means the percentage rate achieved by dividing the total tonnage of recyclables by the sum of the total tonnage of waste disposed added to the total tonnage of recyclables.
- I. "Set-out counts" means the number of single-family residential customers that set-out their recyclables containers every collection day; or a monthly average of the set-outs as compared to total number of single-family customers.
- J. "Single-family residence" means any residential dwelling receiving solid waste and recycling collection service where the owner or tenant is billed for solid waste collection service to the dwelling as an individual unit. This may include, but is not limited to, duplexes, mobile homes within mobile home subdivisions, or attached single-family structures such as townhouses, row houses, or triplexes.
- K. "Single-stream collection" means the collection of designated recyclables commingled in one covered, wheeled container, collected with automated or semi-automated trucks.
- L. "Solid waste collection company" means a privately owned solid waste and recycling transportation company or "hauler", which provides collection services in rural and urban designated areas of Mason County and is regulated by the Washington Utilities and Transportation Commission (WUTC) under the provisions of Chapter 81.77 RCW. The companies may be collectively referred to as "certificated haulers" and means every person or his lessees, receivers, or trustees, owning, controlling, operating or managing vehicles used in the business of transporting solid waste for collection and/or disposal for compensation over any public highway whether as a "common carrier" or as a "contract carrier."

- M. "Source separation" means the separation of different kinds of solid waste at the place where the waste originates.
- N. "Washington Utilities and Transportation Commission" or "WUTC" means the State agency, which regulates privately owned solid waste collection companies who provide collection service to the unincorporated areas under a G certificate.

Section 3. Minimum Levels of Curbside Recyclables Service for Single-Family Residences

The minimum levels of service for single-family residential curbside collection in Mason County shall include the following:

- A. Single-stream collection service.
 - 1. Collection companies shall offer every-other-week (EOW), single-stream curbside collection of recyclables to all single-family residences that subscribe to automated curbside solid waste service.
 - 2. The collection companies shall provide the curbside recycling collection with all combinations of automated solid waste cart service approved by the Washington Utilities and Transportation Commission (WUTC) for their respective certificated areas. Residents in automated service areas may request curbside recycling service without having solid waste service at a rate set by the Washington Utilities and Transportation Commission.
 - 3. The collection services to the customers shall be on the same day as garbage collection, unless the collection company can demonstrate to the County that an alternative collection schedule is necessary because of geographic or development limitations, such as road width or density, that require an alternative truck system or collection schedule.
 - a. The hauler shall identify the location of the area affected; the alternative collection schedule; and the reasons supporting the alternative.
 - b. The County shall consider whether the number of customers affected is minimized; that program participation is not adversely affected; whether there is substantial cost savings due to the alternative schedule; whether an alternative collection schedule can result in higher levels of participation and recycling; and other information presented by the hauler.
- B. Recycling collection containers.
 - 1. Collection companies shall provide one (1) wheeled container of approximately 96-gallons to each of their single-family customers signed up for curbside collection. The containers shall be made of durable plastic materials and manufactured using a maximum percentage of recycled materials that meet specifications.
 - 2. Collection companies shall provide a process for customers to request and receive an alternative 64-gallon wheeled container for those customers who feel they do not generate enough recyclables to fill the standard size container

or who feel its size is too unwieldy for them to move or store. There will be no change in monthly service fees for the difference sizes of recycling containers.

3. All containers shall contain, or have attached, information about the proper preparation of materials and the name of the certified hauler. The information may be stamped into the container, on a waterproof sticker, a combination of both, or some other alternative, which provides the customer with sufficient permanent information to be able to contact the hauler. If stickers are chosen, hauler shall provide replacements to all customers in Mason County when normal aging and weather exposure has made them unreadable.
4. Replacement of the containers necessitated by normal use or by container damage due to the haulers negligence shall be the responsibility of the hauler. Replacement necessitated by container damage or loss due to the customer's negligence shall be at the customer's expense.

C. Exceptions: Collection Alternatives for Restricted Access or Storage Situations, or for Residents with Limited Mobility.

1. Criteria: Collection companies shall have a process in place to work cooperatively with residents to tailor the single-stream recycling collection service to meet the needs of residents in situations where:
 - a. Private driveways are inaccessible or incapable of withstanding the weight of collection trucks and collection of recyclables or garbage cannot be provided under the approved drive-in rate tariff for such situations;
 - b. Because of long, steep and/or winding driveways, a resident would have difficulty in moving a large recycling container, manually or by vehicle, from their house to the public access road for collection;
 - c. A resident could not provide a storage place to keep recycling or garbage containers at the end of the driveway close to the public access road;
 - d. Truck access or container size is in any way otherwise restricted due to density and road width or where outside container storage is limited by home owner association covenants, or
 - e. Residents with special needs, such as physical infirmity or physical limitations, with no able-bodied person living in the residence to set out the container, and need reasonable accommodation.
2. Alternatives: Collection companies shall offer alternatives that suit their collection system or the particular customer's limitation. The alternatives may include:
 - a. A drive-in tariff rate and/or a walk-in tariff rate for those situations where a recycling truck can negotiate the long-driveway and where the driveway can support the weight of the truck.
 - b. Any other solution mutually agreed to by the customer and the solid waste collection company per WAC 480.70.366.
3. Monitoring: Alternative Service Options: The Solid Waste Collection Company shall:

Maintain an updated list of customers who have requested an alternative collection system, a description of the problem and of the chosen solution, or how the problem was otherwise resolved, and will provide an annual list to Mason County.

4. Nothing in this section shall either prevent or require collection companies from developing a centralized drop-off site in neighborhoods, to be maintained by the hauler, where such access problems are clustered or where covenants prevent outside storage of containers.
- D. Materials collected. The following recyclable materials, at a minimum, shall be collected from single-family residences when properly prepared and meeting the material description as specified.
1. Cardboard – corrugated cardboard and Kraft paper, including unbleached, unwaxed paper with a ruffled (“corrugated”) inner liner.
 2. Metal cans – tin-coated steel cans and aluminum cans, excluding aerosol spray cans.
 3. Mixed-waste paper – clean and dry paper, including: glossy papers; magazines; catalogues; phone books; cards; laser-printed white ledger paper; windowed envelopes; paper with adhesive labels; paper bags; non-metallic wrapping paper; packing paper; glossy advertising paper; chipboard, such as cereal and shoeboxes; juice boxes; and milk-style cartons of the refrigerated variety (non-refrigerated products contain aluminum linings).
 4. Newspaper – printed groundwood newsprint, including glossy advertisements and supplemental magazines that are delivered with the newspaper.
 5. Plastics: Bottles and jars #1-2: primarily polyethylene terephthalate (PET - #1), such as soft drink, water, and salad dressing bottles; and high-density polyethylene (HDPE - #2) such as milk, shampoo, or laundry detergent bottles; including any bottle with a neck narrower than its base.
- E. Optional materials. Nothing in this chapter shall prohibit a hauler from exceeding the minimum requirements set forth above by collecting additional materials including, but not limited to, food waste, yard waste, scrap metal, glass, or other types of plastic, or other materials in the future.
- F. Amending the list of required materials. Prior to proposing any amendments to the list of materials to be collected, the County will negotiate and mutually agree upon any proposed changes to the collected materials list with the haulers.
- G. Recycling collection rates. Collection companies shall request the Washington Utilities and Transportation Commission (WUTC) to approve a rate structure, which includes the costs to implement the modified single-stream residential curbside recycling program for all solid waste customers contained in Section 3 of these minimum levels of service. The collection companies shall include the following elements in the tariffs proposed to the WUTC:

1. A rate structure designed to provide customers with adequate options and incentives to reduce their level of solid waste collection service as a result of their participation in waste reduction and recycling programs.
2. The rates shall include the costs of the containers, stickers, collection equipment and staffing.
3. Collection rates should include a separate delivery service fee equal to or less than the replacement cost of the bins. This service replacement cost shall not apply to the first-time delivery of the standard-sized container, or for the first-time delivery of a smaller sized container when the smaller size is requested by the customer.
4. Rates should include but are not limited to the haulers' costs for the mutually agreed upon coordinated public outreach program, monitoring set-out participation, and any other costs for the data reporting system required by the County.
5. The haulers shall capitalize and amortize the equipment costs as determined by the WUTC.

Section 4 Customer Service Responsibility and Coordinated Public Outreach Programs

Collection companies shall work with the County to develop and implement a coordinated public outreach program.

- A. Haulers' customer service responsibilities shall include, but not be limited to:
1. Notifications of new service availability, program sign-up, container delivery, bin stickers, explanation of rate structure, schedule of collection days and container replacement information.
 2. Delivery of containers within ten days of a request for service with collection service beginning within thirty-five days of a request.
 3. A telephone hotline within their certificated area, which shall be:
 - a. Accessible to residents for the purpose of providing program information and accepting service complaints, including after hours.
 - b. Capable of responding to a large volume of phone calls.
 - c. Clearly shown on the collection equipment, included in all mailings, and on other publicity materials.
 4. A process to resolve participation problems if access to the program is restricted due to impassable road conditions, other than those occasionally caused by severe weather situations. If the hauler deems the road conditions are regularly impassable by collection vehicles, the hauler will work with customers to determine a mutually agreed upon location for the collection of recyclables, preferably from the nearest roadway which is accessible by the hauler's collection vehicle.

5. Notification to both new and ongoing solid waste customers of: different solid waste collection service options including cart sizes, frequency, and costs; recycling container provided to all solid waste customers. Hauler shall notify solid waste customers of the above during phone calls, in billing inserts and special mailings, on their website and during new service sign up procedures. Hauler will ensure that website is updated and links to Mason County specific information are working. The website shall also provide a link to Mason County Utilities and Waste Management to provide residents with additional waste disposal and reduction information.
- B. At the initiation of a new collection program to allow for coordination of promotional and educational efforts, haulers shall provide the County with container delivery schedules and collection schedules showing where implementation will begin by geographic areas. Implementation may be staged.
 - C. County responsibilities shall include the development of a countywide public outreach program. The program should include:
 1. Newsletters mailed to all households and handouts for self-haulers.
 2. News releases and an advertising campaign.
 3. Coordination of design of brochures and other materials with information on the new program to be mailed to customers via hauler billings or to be distributed with new bins by the hauler. Ongoing design of brochures and other materials, to be included with hauler billings, that educates residents on the curbside recycling program as well as various waste reduction methods above and beyond curbside recycling.
 4. An Internet website describing the haulers' services, how to sign-up for the new program, how to resolve a service complaint, and information about drop-off alternatives and other County programs.
 5. An email address to allow residents with opportunity to request brochures or other materials and to ask for additional information or help.
 6. Traveling exhibits.
 7. Incorporation of information about programs into youth and adult environmental education programs.
 8. Presentations to civic groups.
 9. Staffing sufficient to provide information to customers with inquiries.
 10. Automated telephone information line.

Section 5. Reporting Requirements for Residential Recyclables Collection

Collection companies shall provide the County with regular and accurate reports of data on all residential recycling collection services as determined necessary by Mason County for evaluating the effectiveness of recycling programs.

- A. Single-family curbside recyclables collection program.

1. At a minimum, annual reports will be provided by March 1 the next calendar year and shall contain the following data, broken down by each month and by certificated area.
 - The number of single-family solid waste collection customers subscribing to each level of garbage collection service.
 - Aggregate tonnage of recyclable materials collected from single-family customers per year.
 - Recyclables collected per single-family customer expressed as average pounds of recyclables generated per customer.
 - Aggregate tonnage of solid waste disposed of from single-family customers.
 - Subscribing customer recycling rate participation.
 - Log of unresolved customer complaints with summary of measures taken to resolve any problems.
 - Any percentage residue amounts or contamination problems reported by processing facilities.
 - Summaries of tons and value of single stream materials sold.
2. Annual reports shall include an analysis of the effects of changes in services and areas served or problems that were encountered and any suggested changes to increase efficiency and participation in the curbside program.

Section 6. Disposal limitations and Materials Marketing Preferences

- A. Solid waste collection companies shall use processing facilities that have obtained all applicable local, state, and federal permits. Whenever possible, local businesses shall be given priority and should be used to receive recyclables for purposes of processing, handling, or remanufacturing the materials into new products.
- B. The haulers shall not under any circumstances dispose of marketable recyclables by landfilling or incineration. Contaminated single stream materials may be disposed with permission from County staff.
- C. Recyclable materials shall be marketed for highest possible use, as noted in the Washington State Beyond Waste Plan, current solid waste issues, Chapter 2.

Section 7. County Notification of WUTC Tariff Filings

Whenever a collection company files a proposed tariff revision for solid waste and recyclables collection rates with the WUTC, the collection company shall simultaneously provide the County with copies of the proposed tariff submitted to the WUTC and all supporting materials. Any propriety information provided to the County shall be handled as confidential to the extent allowed by law.

- A. The County shall review the rates for compliance in relation to the *Mason County Solid Waste Management Plan*, and minimum service level ordinances.
- B. After tariffs are approved by the WUTC, the collection company shall notify the County of the approved rates and the effective dates.

Section 8. Full Program Implementation

If it is determined that the programs specified in this chapter are not fully implemented after a reasonable interval of time to promulgate, implement and expand the program countywide, the Mason County Board of County Commissioners, or the Utilities and Waste Management Director may notify the WUTC that the County will exercise its authority under RCW 36.58.040 to contract for the collection of recyclables from residences in Mason County.

- A. Full implementation. The programs shall be considered fully implemented when the following conditions are met:
 - 1. The certificated hauler has received approval by the WUTC for its tariff filings for recyclables; and,
 - 2. The services will be available to all subscribing customers who desire service.

Section 9. Commodity Credit

Under RCW 81.77.185, the Utilities and Transportation Commission shall allow solid waste collection companies collecting recyclable materials to retain up to thirty percent (30%) of the revenue paid to the solid waste collection companies for the material. To receive this benefit, the company must submit a plan to the commission that is certified by the appropriate local government authority as being consistent with the local government solid waste plan and that demonstrates how the revenues will be used to increase recycling. Remaining revenue shall be passed to residential customers. The County requires an annual work plan proposal from the hauler to justify the revenue share to be reviewed and approved by the County staff. Review and acceptance of the proposal will include City and County staff and the Solid Waste Advisory Committee.

Section 10. Severability

If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, found to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter.