

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

December 1, 2009

1. Call to Order – The Chairperson called the regular meeting to order at 9:02 a.m.
2. Pledge of Allegiance – Deputy T.R. Rankin led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Lynda Ring Erickson; Commissioner District 2 – Tim Sheldon; Commissioner District 3 – Ross Gallagher.

Cmmr. Ring Erickson/Gallagher moved and seconded to lower all flags in Mason County for one week in respect of the 4 police officers that were murdered in Lakewood, WA. Motion carried unanimously. RE-aye; S-aye; G-aye.

4. Correspondence and Organizational Business
 - 4.1 Correspondence
 - 4.1.1 Linda Woytowich, Barbara Johnson and Kevin Frankeberger are seeking appointment to the Parks and Trails Business Plan Task Force.
 - 4.1.2 George Rickle is seeking appointment to the TIPCAP.
 - 4.1.3 Wayne Salus expressed concerns regarding Daryl Cleveland's appointment to the Board of Equalization.
 - 4.1.4 Karin Locke expressed concerns regarding Mason County Garbage's recycling program.
 - 4.1.5 The Pacific Mountain Workforce Development Council proposed a new governance model for the regional workforce system.
 - 4.1.6 The Port of Grapeview submitted their 2010 budget.
 - 4.1.7 The City of Shelton submitted their 2010 levy certification.
 - 4.2 Staff Recognition – Sheriff's Office. Sheriff Salisbury recognized Detective William Adam, Deputy Justin Cotte, Sergeant Dracobly, Detective Jeff Rhoads, Detective Richard Germeau, Detective Jack Gardner, Deputy Mike Western, Deputy Brad Trout, Officer Anita Ward, Officer Danny Owen, Officer Teresa Bennett, Officer Al Hernandez, Deputy Herman Schipma, Deputy TR Rankin, Deputy Mondry, Sergeant Ted Drogmund, Deputy Trevor Clark, Deputy Nathan Birkliid, Deputy Duain Dugan, Deputy Byron Baty and Anna Pamperin for their outstanding service to Mason County.
5. Open Forum for Citizen Input – None
6. Adoption of Agenda - **Cmmr. Ring Erickson/Gallagher moved and seconded to adopt the agenda as published. Motion carried unanimously. RE-aye; S-aye; G-aye.**
7. Approval of Minutes – budget workshop minutes for November 2, 16 and 23, 2009, regular meeting minutes for November 17, 2009.

Cmmr. Gallagher/Ring Erickson moved and seconded to approve the budget workshop minutes for November 2, 16 and 23, 2009, regular meeting minutes for November 17, 2009. Motion carried unanimously. RE-aye; S-aye; G-aye.

8. Approval of Consent Agenda:

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- 8.1 Approval to rescind the Mason County Fairgrounds Petty Cash Fund Resolution #47-09, the Change Fund Resolution #83-06, and the Revolving Fund Resolution #71-07 and allow the \$100 from the Petty Cash Fund, \$100 from the Change Fund, the \$15,000 from the Revolving Fund to be deposited into the Fairgrounds Fund 100-000-000, for a total of \$15,200. The Fairgrounds Fund 100-000-000 will be used to pay the remaining expenditures to close the facility then transfer the residual to Current Expense. *Tabled to 12/8/09*
- 8.2 Approval of the Veterans Assistance Fund applications for: Anthony R. Arnold - Food \$300.00; Orville W. Roberts - Food \$200.00; Glen R. Johnson (Cecelia) - Burial \$600.00 for a total of \$1,100.00 as recommended by the Veterans Assistance Fund Screening Committee.
- 8.3 Approval of the resolution authorizing the Director of Public Health to enter into and sign professional services contracts, not to exceed \$25,000, for the Pandemic Influenza response. This is grant funded with no match requirement. **Resolution No. 104-09 (Exhibit A)**
- 8.4 Approval for the Equipment Rental & Revolving Fund Manager to call for bids to furnish Mason County with Asphalt Concrete, MC 250 (Cold Mix) and/or CSS 1 Tack Coat for 2010. Date and time of opening to be December 23, 2009 at 9 a.m.
- 8.5 Approval for Public Works to utilize the post for quotes/telephone bids procedure for the purchase of one 50' in length by 10-foot diameter culvert to be used to replace a failing culvert at milepost 1.40 on Satsop Cloquallum Road.
- 8.6 Approval of the resolution combining the Reserve for Court Fund (#113) and the Trial Court Improvement Fund (#135). Mason County shall make deposits of funds to the Trial Court Improvement Fund (#135) as required by ESSB 5454. The balance of the 2009 deposit shall be made from monies in the Reserve for Court Fund (#113). *No action taken.*
- 8.7 Approval of Warrants

Claims Clearing Fund	Warrant #s 164755-165995	\$5,249,753.11
Salary Clearing Fund	Warrant #s 3050-3112	\$ 277,920.02
Direct Deposit Fund	Deposit #s 16946-17320	\$ 535,415.40
- 8.8 Approval of the resolution setting a budget hearing on Tuesday, December 15, 2009 at 9:30 a.m. to consider a supplemental appropriation in the 2009 budget for the Special Fund: Search And Rescue Fund #143-000-000 in the amount of \$30,000 for unanticipated revenues and a budget transfer in the 2009 budget for the Current Expense Fund: Human Resources in the amount of \$12,000 from ending fund balance for unanticipated professional services. *Amended under item 10.1.*

Judge Toni Sheldon asked that item 8.6 be removed for further discussion.

Brenda Hirschi asked that item 8.8 be removed for further discussion.

Cmmr. Ring Erickson asked that item 8.1 be amended.

Item 8.6

Judge Sheldon provided background information regarding item 8.6. The Trial Court Improvement Fund, fund number 135-000-000, is required by RCW 3.58.060. It was initially established to help local counties fund the courts. The County must place an equal amount to the State's contribution towards the District Court Judge's salary in the fund each year. In 2007 \$30,933 came in from the State towards Judge Meadows salary. The County placed an equal amount in the Trial Court Improvement Fund. In 2008 the amount was \$29,346. It is a regular occurring event every year. The funds are to be used to fund improvements to the District and Superior Court's staffing, programs, facilities and services. The County enacted the fund in 2007 by Resolution 28-07. On the same day Resolution 26-07 enacted a separate fund called Reserve for the Courts. That resolution states that the purpose of the fund is for future and extraordinary expenses incurred by the Mason County courts.

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It is being proposed today that these two funds be combined. It terms of managing the funds, that's not objectionable as long as there is a way to manage them separately. The funds are for two separate purposes. What she does object to is that it is being intended to fund the County's required match for the District Court judge's salary by using the Reserve for the Courts money. The Budget Director that budgeted for the Trial Court Improvement Fund only budget \$5,729 for 2009. She doesn't know why that occurred, but instead of taking money out of the general fund it is being proposed that the Commissioners use the money in the Reserve for the Courts fund to pay for something that is not an extraordinary expense. This a regular expense that hasn't been paid this year.

Cmmr. Gallagher asked if Judge Sheldon objected to the combination of the funds.

Judge Sheldon stated that she doesn't have an objection to the combination of the funds, just the use of the Reserve for the Courts funds to pay for the District Court Judge's salary match.

Cmmr. Ring Erickson commented that this was done for accounting ease to reduce the number of funds. She agrees that there needs to be funding out of Current Expense and there should be a supplemental for that.

Cmmr. Sheldon noted that this was probably on oversight. It is clear that the State money needs to be matched. Keeping two funds would make it much easier to understand and for the public to know what the purpose of the funds are. He doesn't see a purpose in combining the funds if the Auditor has to do a separate accounting.

Theresia Ehrich replied that the County has a lot of separate funds. The Auditor has asked her to look at the funds. When the resolution was passed for the Reserve for Courts fund the House Bill wasn't included. The resolutions for these funds need to make it clear what the funds are to be used for and how they were established. If the funds need to be kept track of separately there should be two separate funds. This also hasn't been budgeted for next year. The resolutions should be amended to be more specific on what the funds are to be used for.

Judge Sheldon commented that Resolution 28-07 does specifically refer to the Bill 5454. The Reserve for the Courts fund isn't something that the State requires. It was something the Commissioners wanted and they described what the uses should be. It is frustrating to go through the printed documents for the 2010 budget and not find the Reserve for the Court fund listed. It looks like a decision has already been made.

Cmmr. Sheldon stated that there was decision because two Commissioners signed the document to post that change.

Ms. Ehrich clarified that there was actually no budget submitted for that fund at all.

Judge Sheldon stated that goes back to the fact that there is no Budget Director. The courts would be happy to put together a budget. The language in the resolutions does state that that the Director of Budget and Finance will administrate the fund.

Ms. Hirschi commented that she has been trying to get a complete list of these special funds and who is responsible for them. There should be a program manager for each of the special funds. It needs to be clearly laid out.

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Item 8.1

Cmmr. Ring Erickson stated that staff has advised her that the amounts listed are not necessarily the amounts in the accounts. They are the maximum amounts that could be in the account. She would recommend striking the last half of the first sentence and amending it to say "remaining funds".

Annette McGee recommended that this item be postponed until the actual amounts are determined. She would like to know if any of these resolutions were set up by public hearing and if there needs to be a public hearing to rescind them. The Board is trying to do 5 things with one sentence, which is not good.

Dawn Twiddy explained that the petty cash and change funds are at \$100. Those were the amounts that were in the cash register and the camp host's change bag. Both accounts are in full at \$100. The \$15,000 is a revolving checking account that pays for the premiums for the fair each year. That money is restored by the end of the year to the \$15,000. The fund wasn't replenished and there are still checks out. There is approximately \$2,400 in the checking account. They won't have a remaining balance until all check are cashed, which needs to be done by November 30, 2009. The account is then closed and frozen. It is frozen each year because there was fraud on the account in the past.

An audience member asked if the money that pays the premiums is Department of Agriculture money.

Ms. Twiddy responded that the fund was established with Current Expense money. Department of Agriculture money can go to other things besides premiums.

MS. Ehrich noted that any money established by resolution needs to be returned as established by the resolution. The exact amounts will need to come into Current Expense. It will need to be taken care of by the end of December.

Item 8.8

Ms. Hirschi asked how much Human Resources exceeded its budget by in December 2008.

Ms. Ehrich replied that it was approximately \$20,000.

Ms. Hirschi asked why Human Resources needs additional dollars now.

Cmmr. Sheldon stated that there are still ongoing labor issues. Without a Human Resources Director it may become necessary to hire outside council to handle the issues before the end of the year. The \$12,000 isn't necessarily going to be spent, but there may be a need for it.

Ms. Hirschi asked if the additional expenses in 2008 and 2009 could not be anticipated.

Cmmr. Sheldon replied that there have been many unanticipated circumstances surrounding Human Resources.

Ms. Hirschi noted that there was a discussion in June or July that the account was on track to go over by December. She also asked why the Board isn't coming forward with a supplemental request for the risk management insurance since it is now know that it will go over by about \$40,000.

Cmmr. Sheldon stated that the Board is still waiting to determine who will represent the Board for risk management.

Ms. Hirschi asked why it is being taken from the ending fund balance instead of holding a public hearing.

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Cmmr. Sheldon stated that it could be done that way.

Ms. McGee commented that there has to be a public hearing any time an account is supplemented. It better be an emergency if there are no unanticipated funds coming in. She asked why this wasn't anticipated.

Ms. Ehrich stated that there wasn't enough budgeted for the insurance payment.

Cmmr. Ring Erickson added that the Risk Pool hadn't set the rates yet.

Cmmr. Sheldon stated that there have been a lot of unanticipated events. Some individuals had these responsibilities and they are no longer with Mason County.

Cmmr. Ring Erickson/Gallagher moved and seconded to approve Consent items 8.2, 8.3, 8.4, 8.5, 8.7 and 8.8 and to table item 8.1 for one week. 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 2008 applications for the Current Use Open Space and Current Use Timber taxation program.

Terry Bow, Chief Appraiser, stated that he has received 7 applications for Open Space/Open Space and 25 applications for Current Use/Forest Land. Of the Open Space/Open Space applications, there are 256.49 acres being requested. He is recommending approval of 244.62 acres. There is one parcel that was requested by Russell and Karen Hulbert, which has 7.71 acres, and they requested 6.71 acres. Due to the non-sufficient justification of public benefit, he is recommending that application be denied. There are two applications from Charles Hammond for a parcel of 140 acres, of which he is requesting 140 acres be put in the program. He has an adjacent parcel that's 91.52 acres and he is asking that the 91.52 acres be put in the program. The property is in the designated forestland program. The justification warrants approval of the application in the guise of public benefit. The Davis Family Association has two parcels they applied for. The first is a 5 acre parcel, of which they are requesting 5 acres in the program. The adjacent property is a 5 acre parcel and they are requesting 3 acres from that parcel. He is recommending approval of a total of 8 acres out of 10 acres. They have done extensive justification as to why it is a public benefit to the community. The Brad Wilson Construction parcel is mainly a wetlands property. It is currently being assessed at market value. It is used to preserve wetlands and environmental issues. The applicant provided enough information on their justification to warrant a public benefit. The seventh application for Open Space/Open Space is from Gwendolyn Wood. It is a 2.16 acre parcel. It was part of a parcel that was in a designated forestland. It was removed because of the non-conforming acreage requirement for designated forestland. It is a waterfront parcel. The applicant did not put in enough justification to warrant public benefit. He recommends that application be denied.

Of the 25 applications for Current Use/Forestland determinations, there are 358.13 acres. The total requested acreage is 338.52 acres. He is recommending that Board approve 338.72 acres. All of the applicants submitted a forestland management plan. The properties that are recommended for approval will need to outline the area of the property that will not be in forestland.

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Of the Open Space/Open Space applications, there are properties with conditions. He has requested that the Hammond property be posted to state that the intended use of the property is for trails and public benefit, with no motorbike riding or camping. He has put those conditions in writing and he recommends that the Board approve his recommendations.

Questions for Staff

Cmmr. Sheldon asked if these applications are from 2008.

Mr. Bow stated that these are 2008 applications for assessment year 2009, with taxes payable in 2010.

Ms. Hirschi asked for an explanation of the public benefit of putting a property in Open Space.

Mr. Bow explained that applicants must fill out a form that justifies the benefit to the public. It is the same criteria as State law regarding Open Space/Open Space/Current Use. Some examples are preservation of environmental issues, habitat, scenic byways and other items. There are 10 points of justification that the applicant has to fill out. The law states that there must be some benefit to the public for the tax shift. That is the number one priority of approval. There are no set guidelines from the Commissioners for the Assessor's recommendation. He looks at the applicants' commitment to the preserving the property in its natural state. His recommendation is based on how well the applicant fills out the justification.

Ms. Hirschi stated that some of this property is out on Cole Road, which is near her neighborhood. She asked if she would be allowed to walk on the trails that property.

Mr. Bow responded that if it is Current Use/Forestland it is for growing timber. There is no requirement that the lands be opened to the public for that type of benefit. The main guideline of Forestland is that the trees must be grown for harvesting for resource purposes for the State's economy. There are problems with people who have Open Space/Open Space that wasn't in a Forestland program at one time. Open Space/Open Space isn't supposed to be used at all, except for a natural habitat. It cannot be used for camping or other recreation. The rules regarding Open Space are different than Forestlands.

Cmmr. Sheldon commented that with Open Space and Designated Timberland you give up the right to build structures or use the property for development. If you want to change the use you would have to pay all of the back taxes.

Roslynne Reed asked how much these people would have been paying into the County for taxes versus how much they will be paying now.

Mr. Bow answered that with Timberland the amount of taxes are based on what the Department of Revenue schedules for the classification of ground for the growing of timber. It is based on harvest rates from mills. The Open Space/Open Space is currently set at the highest farm and agricultural rate, which is about \$346 per acre. The market rate could be \$10,000 per acre. It changes every year, but it cannot be less than the farm and agricultural rate.

Cmmr. Sheldon asked if the public could enter an Open Space property and walk through it.

Mr. Bow stated that yes, unless it is environmentally sensitive where the purpose of the property would be damaged. All of the properties can have conditions set by the Commission on how it goes into the program. For example, the Hammond property is 140 acres abutting Alderbrook. There are old logging trails to be used as nature trails. There is another property that has more environmental issues with shrubbery and trees that should be left as natural.

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Ms. Hirschi asked Mr. Bow to explain what it means to the others on the property tax roles in Mason County if the Commissioners approve this.

Mr. Bow explained that the relief of property taxes that would be paid on the property is directly related to the amount of the assessment. It is a budget based system so those taxes that are required for the district would be recaptured. The amount of the assessment being relieved would be transferred to the other taxpayers within the taxing district. Anytime there is an exemption there will be a tax shift. It is a small tax shift and it is based on a program allowed by statute. If the property owner dedicates their property to the growing of harvestable trees, they are required to maintain it for at least 10 years. If the contract is withdrawn there is a 20% penalty added on to the difference of the amount of taxes they would have paid, plus interest. It can be substantial. In the seventh year it can be up to 96% interest. It is an incentive for the property owners to maintain the property in the designation it has been approved for. There is a cost for noncompliance or removal.

Cmmr. Sheldon commented that the property tax shift in this transaction would be negligible. There are also property tax shifts for senior exemptions.

Ms. Hirschi asked if Mr. Bow knew the cumulative effect of the program on property taxes.

Mr. Bow replied that if all exemptions that are granted by the State are included it is substantial. It is allowed because the Legislature sees some benefit. The timber industry is a county resource. The main industry of Shelton is the timber industry. The property owners are required to have a forestland management plan.

Ms. Hirschi asked how the County reviews the parcels in the program to ensure they are in compliance.

Mr. Bow explained that the Assessor is on a 4 year reevaluation plan. The properties are inspected by a Deputy Assessor. They know the land use code of the property. They set the market value and the Current Use value. There is a review. The appraiser knows the program rules. If they go out to a forestland property that is fenced with cattle running through it they know that is not a purpose for that property. The owner will be contacted and the property could be removed for noncompliance.

Cmmr. Sheldon added that someone couldn't just put their backyard into designated forestland. It has to be over 20 acres and there has to be a forest management plan. Probably 40% of the county's private lands are in designated forestland. Green Diamond owns 1/3 of the county. When the timber is harvested a portion of the excise tax that is paid goes back to the taxing district. There is a shift, but the proceeds do circulate back to the taxpayer.

Ms. Hirschi asked what the motivation would be to put a property into this program. Would it be to reduce their tax bill?

Cmmr. Sheldon stated that if a forestland owner had to pay residential rates for a property that was harvested every 35 years, no one would own forestland. It would all go back to the County for back taxes. That's what happened in the 30's. The program has worked for the State for years. Designated Forestland and Open Space are a great benefit to the public and they are a big job generator for a natural resource community.

Ms. Reed asked if this would cause an impact on school boards and other entities that base their budgets on property taxes

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Mr. Bow replied that the assessed value is a pool that is determined. The budgets are regulated by caps and other things passed by the voters. The budget is divided into the assessed value to get a levy rate. Assessed values change all of the time and do not impact the taxing capability of the taxing districts.

Cmmr. Ring Erickson excused herself from the meeting at 10:19 a.m. to go to an appointment in Olympia.

There was no public testimony.

Cmmr. Gallagher/Sheldon moved and seconded to approve the following Current Use Open Space applications, with conditions, as recommended by the Assessor's office: Charles Hammond, parcel #'s 32103-00-00010 & 32104-11-00000; Davis Family Association, parcel #'s 22020-75-00050 & 22020-75-00060 and Brad Wilson Construction, parcel #32006-50-04021; to deny the following Current Use Open Space applications, as recommended by the Assessor's office: Russel Hulbert, parcel #32028-77-00030 & Gwendolyn Wood, parcel #22014-34-00000; to approve the following Current Use Timber Program applications, with conditions, as recommended by the Assessor's office: DJNA, LLC & Larry & Ann King, parcel # 31922-24-00000; Dale & Rose Nye, parcel #32033-23-00010 & 32033-32-00010; and Thomas & Mary Ryan, parcel #22126-76-00010; and to approve the following Current Use Timber Program applications, as recommended by the Assessor's office: Tara & Justin Jerrells, parcel #22030-75-00030; Dale & Rose Nye, parcel #'s 31901-33-00000, 31902-44-00000, 32028-75-00050, 32032-23-00000, 32032-22-00010, 32032-22-00020, 32032-22-00050, 32033-22-00000; Manke Timber Company, parcel #42002-10-00030; Thomas & Mary Ryan, parcel #'s 22126-76-00040 & 22126-13-00120; Thomas Impey, parcel #32326-24-00000; Bruce Selleg, parcel #32132-22-00010; Candelaria Crawford, parcel #51913-32-00000; Charles Chambers, parcel #32027-50-05002 & 32027-50-05003; Glen & Lisa Simonsen, parcel #22014-20-93040; and Gary Schuyten, parcel #22029-34-50050; Frank ReinHart et al, parcel #'s 22020-24-90202 & 22020-24-90203. Motion carried unanimously. S-aye; G-aye; RE-absent.

- 9.2 Public Hearing to consider the Public Works Annual Construction Program for 2010. Charlie Butros, Public Works Director, stated that the Annual Construction Program and the 6-year Plan have been presented for several years and they need to be presented to the Board on an annual basis. The December 2007 storm damage has created several challenges. As a result, many of the projects planned for 2008 and 2009 were delayed. Work has been deferred and the impact of those delays has been seen. The projects that took precedent in 2008 and 2009 were to repair the damage of the December 2007 storm. The department continues to work on those projects.

Bob Thuring, Engineering and Construction Manager, presented the 2010 Annual Construction Project list. The project list is divided into priorities. The priority term is required by the County Road Administration Board to be included, but these are not absolute priorities. For example, priority number 1, ACP overlays, does not have an absolute priority over item 4, minor construction projects. It is a sequence established by the County Road Administration Board. The bulk of the safety repair and maintenance program is Federal safety money. Minor construction covers things such as wetland mitigation. There are two large culverts under the large culvert and bridge repair identified. There are 4 projects that are carrying over from the 2007 storm. Belfair-Tahuya Bridge is under construction now and the completion of it will carry over to 2010. There is the Grapeview Loop slide, Sandhill Road slide and the Lower-Elfendahl Pass Road reconstruction. He expects to get both the Grapeview Loop slide and Sandhill Road slide repair accomplished in 2010.

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The Lower Elfendahl Pass Road reconstruction is an ongoing issue with FEMA. They are required to obtain a study of the streambed to ensure that the reconstruction is done with little or no impact to the stream on Stimpson Creek, which has caused delays with the Federal agencies. He is hopeful, but not confident, that they will be able to do something the next construction season. The other projects listed are projects that are in the design process. They are listed even though they will not go to construction in 2010.

Ms. Hirschi asked for an explanation of the abbreviations on the list.

Mr. Thuring explained each abbreviation.

Cmmr. Sheldon asked about lower Elfendahl pass. There is a FEMA number of 173. He asked if that indicates an amount money.

Mr. Thuring clarified that it is the FEMA Project number. It is actually 1734.

Cmmr. Sheldon asked if the permitting doesn't occur for the project, would the money be moved into another project on the list.

Mr. Thuring replied that FEMA projects are paid for initially and then reimbursed by FEMA. If that project wasn't done the department's contribution would be available to go into another project, but ultimately FEMA will be reimbursing for the project. The money is movable. It could be used to supplement the award of other contracts or it could be carried over into the next year.

Cmmr. Sheldon stated that the Commissioners have been getting calls from Olympic Mountain Ice Cream. They are in the Skokomish Valley and are affected by the load restrictions on Hunter Creek Bridge and Weaver Creek Bridge. He asked when it is anticipated that those bridges will be replaced and could the process be sped up.

Mr. Thuring responded that they have received bridge replacement funding from the Federal government. The department has to match 20% to that. They are in the process of awarding the contract for the bridge design. He doesn't anticipate that the design will be complete and permitted in time for the 2010 construction season. They are aiming for the 2011 construction season. He had hoped that there would be a call for funds by the BRAC committee for another round of funding. He was assured that Hunter Creek would be in the next round of funding. If they don't get funding he is afraid they will have to slide that project out. It received a lower score than Weaver Creek Bridge, but in order to get the construction materials to the Hunter Creek Bridge they have to rebuild the Weaver Creek Bridge first.

Cmmr. Sheldon asked if Public Works sets the weight restrictions.

Mr. Thuring explained that they set the weight restrictions, but they do not have the in house bridge design talent to do that. They hired a consultant to do the structural examination and develop a bridge rating. There is the capability to bring fully loaded vehicles across, but it involves having the truck drive down the centerline of the bridge. Therefore, it would have to be flagged and controlled. On the Weaver Creek Bridge the in-bound lane is structurally sufficient, but the outbound lane is not. It can be done on an individual permit basis.

Cmmr. Sheldon commented that a lot of heavy equipment goes into the valley. He asked if it would be possible to review the limits. Safety shouldn't be compromised but a review might provide some relief.

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Mr. Thuring stated that there is a consulting contract with Sergeant Engineering and they are currently doing a load rating on five of the timber bridges in the county. He could arrange to supplement that to have them review the load ratings on the other structures again.

An audience member asked what the numbers are that are listed under PE Staff.

Mr. Thuring explained that those are estimates of what is expected to be spent on those projects in thousands of dollars. Day Lab stands for Day Labor, which is the term used for in-house construction.

Cmmr. Sheldon asked if the amount paid to correct the 2007 storm damage was 11 million dollars.

Mr. Thuring answered that it was in that range.

Ms. Hirschi asked about Lynch Road improvements. It doesn't show any funding, but it is on the priorities list.

Mr. Thuring explained that according to this Annual Construction Program 62% of the funding is from grants. 38% is from County road funds. Those funds are not movable. If funds were received that were identified for Lynch Road they couldn't be redistributed to other projects. If they get funding for Lynch Road it would either come out of the State Legislative action or Federal money. The Commissioners have been dealing with the Legislative people in Washington for funding on this. If there were funding to the point that there could be construction, he would go back to the Board to change that line item.

Ms. Hirschi asked if all of the money for the projects besides the storm damage projects is a 62% split.

Mr. Thuring stated that it depends on each individual project and how much grant funding they have received for it.

Cmmr. Sheldon noted that Lynch Road is an example. There is \$500,000 of State money for the project.

Mr. Thuring clarified that there initially was about 1 million dollars from the State and they have about \$400,000 left. There is an error on that line. There should be about \$400,000 listed for right-of-way acquisition.

Ms. Hirschi asked if the top part of the chart is being funded primarily by County dollars.

Mr. Thuring stated that is not correct. For example, the safety projects are 100% federally funded projects. That money cannot be moved from one project to another without approval. The Coffee Creek Bridge rehab will be Federal Highways funded. That money also is not movable and they will be reimbursed 86.5%. The projects in blocks 1 through 5 are typically small dollar value project that are ongoing. The projects listed below the storm damage are large one time projects.

Sandy Tarzwell asked if the section of McEwan Prairie that was already done is reflected.

Mr. Thuring replied that the portion listed is the portion that extends from the tracks to Mason Lake Road.

Ms. Hirschi asked how a citizen would find out what the County's plans are for changing Lynch Road.

Mr. Thuring answered that she could call the office. There has also been a series of public meetings on that subject that were conducted in various locations.

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Ms. Hirschi asked how the decision was made on what would be done with that particular access.

Mr. Thuring explained that the Lynch Road project is a unique project. It is a State project that came along with the 5 cent gas tax. It was identified in the Legislation as a State project with a million dollars tied to it. The Washington Department of Transportation turned to the County and said that they didn't have the in house staff capability to manage the project and asked the County to administer it for them. Public Works agreed that they would carry the project in the name of Washington Department of Transportation.

Cmmr. Sheldon added that there is a special law that allows the State to spend money outside of their right of way and partner with other organizations if it improves the safety on a State highway. The Legislature appropriated this 1 million dollars hoping that Lynch Road could bypass Hwy. 101. As the project progressed it has become obvious that it will cost more than 1 million dollars. Commissioner Gallagher has been working hard with the Congress people to find an appropriation so the project can be completed.

Ms. Hirschi asked if there is any intention to fund this with County money this year or next year.

Cmmr. Sheldon answered that the County couldn't fund the project. It would take the whole year's budget.

Cmmr. Gallagher stated that the design of the project is available. The public meetings were well attended. The last improvement to the intersection was changing the radius of the right hand turn. It is an ongoing project and the price keeps going up. There was a value engineering study two years ago and the outcome was that there needs to be an overpass, which is 8 million dollars. There would also be additional expenses to the County. Two years ago there was a there was a 25 million dollar price tag for an interchange. Hopefully the ship will come in to complete this project. All that we are waiting on is money.

Cmmr. Sheldon added that the reason that this is so important is because accidents in that intersection typically would be a t-bone on the driver's side. That is what causes fatalities. They are trying to accomplish this before that type of fatality occurs.

Ms. Tarzwell asked for an explanation of the map attached to the project list.

Mr. Thuring went over the details of the map.

Public Testimony

Brenda Hirschi stated she has voiced her concerns with the Public Works Director. Her concern is that the information on the Annual Construction Plan was not publicly made available in a timely manner. The law says this should have been available by October 1st. For the 2011 budget process these documents should be made available on the website in an easily accessible way. She would also like a legend for the abbreviations to be included.

Cmmr. Gallagher/Sheldon moved and seconded to approve the resolution to adopt the 2010 Annual Construction Program, with a correction to the Lynch Road right-of-way acquisition project to add \$5,000 under funding. Motion carried unanimously. S-aye; G-aye; RE-absent. Resolution No. 105-09 (Exhibit B)

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
December 1, 2009 - PAGE 12

- 9.3 Public hearing to consider the 2010-2015 6-year Transportation Improvement Programs. Bob Thuring stated that the 6-year Program is the projection of what Mason County Public Works proposes to do through 2015. It includes principle projects and does not go into the detail that the Annual Program does. It is projecting the projects and the years in which it anticipated that the construction projects would be done. Lynch Road does have a line in the 6 year program. They are limited on what they can work on unless it is shown in the Annual or 6 year Program. The estimates are preliminary estimates based on similar projects that were constructed in the past. There are just preliminary designs for the projects and without more detail it is difficult to come up with a cost estimate. The priorities do shift. For example, to do the Pickering Road project rural arterial program funding would need to be secured.

An audience member commented that it should be noted that there is a major shortfall in revenue for projects around the state.

Mr. Thuring explained that they are running about 15% below what was anticipated 2 or 3 years ago. That is being reflected in the funds made available through the County Road Administration Board. All of the funds that come through are through gas taxes. There will not be a robust rural arterial program as there has been. It also applies to the County Arterial Preservation Program, which is how the majority of the asphalt overlay program is funded. Those aspects will severely impact the department. There is also talk of how future Federal funding will be handled with more tolling.

Public Testimony

Brenda Hirschi stated that during the levy shift discussion there was a document handed out that showed the amount of administrative expenses for each county's road budget. Mason County is in the top 10 for the highest administrative expense. As the Board looks at the 6-year plan, and looks forward to the future, she asks that they look at a way to reduce the administrative costs for the road department. She is hearing that there are limited dollars so there needs to be some way this can be reduced. During the 2011 budget she will be back to ask what has been done about this.

Cmmr. Sheldon commented he appreciates Ms. Hirschi's direct testimony.

Cmmr. Gallagher/Sheldon moved and seconded to approve the resolution to adopt the 2010-2015 Six Year Transportation Improvement Program. Motion carried unanimously. S-aye; G-aye; RE-absent. Resolution 106-09 (Exhibit C)

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

- 10.1 Theresia Ehrich proposed an adjustment to the hearing notice under item 8.8, to include a \$25,000 transfer to the Trail Court Improvement Fund and to add \$39,000 to fund number 001-312-000 for Risk Pool insurance payments. These would both be transfers from the Current Expense ending fund balance, not supplements.

Cmmr. Gallagher/Sheldon moved and seconded to amend item 8.8 to include a \$25,000 transfer to fund number 135-000-000, Trial Court Improvement Fund, and a transfer of \$39,000 to fund number 001-312-000 for Risk Pool insurance premiums. Motion carried unanimously. S-aye; G-aye; RE-absent. Resolution 103-09 (Exhibit D)

- 10.2 Vicki Kirpatrick announced that flu shot clinics are scheduled for swine flu and seasonal flu on Thursday, December 3, 2009 at the Civic Center.

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
December 1, 2009 - PAGE 13

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 11:33 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

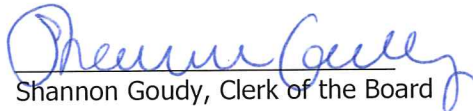


Tim Sheldon, Chair



Lynda Ring Erickson, Commissioner

ATTEST:



Shannon Goudy, Clerk of the Board



Ross Gallagher, Commissioner

RESOLUTION NUMBER 104-09

WHEREAS, Mason County Public Health receives funding from the federal departments of Health Resources and Services Administration and the Centers for Disease Control and Prevention specifically for the purposes of public health emergency response and preparedness and pandemic influenza response; and

WHEREAS, Mason County Public Health, when responding to a pandemic event such as the 2009 H1N1 influenza, must ensure that the requirements of the federal government are met; and

WHEREAS, Mason County Public Health does not have adequate staff to carry out all of the response measures necessary to effectively inform, educate and protect the residents of Mason County during the course of a public health emergency; and

WHEREAS, time is of the essence during a public health emergency such as pandemic influenza;

NOW THEREFORE, BE IT RESOLVED by the Mason County Board of Commissioners, that the Director of Public Health is hereby authorized to enter into professional services contracts that meet all of the following criteria:

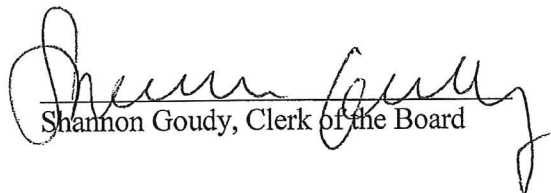
1. Amount not to exceed \$25,000.
2. Meets all of the contracting requirements of Mason County and has received legal review from the Prosecutor's office.
3. Delivers a Public Health Emergency Preparedness or Pandemic Influenza grant contract deliverable.
4. Is fully funded by Public Health Emergency Preparedness or Pandemic Influenza federal grant funding.

BE IT FURTHER RESOLVED that the Director of Public Health will notify the Commissioners of all professional services contracts signed by the Director and will provide them with the reason for the contract, the contract amount, the duration of the contract and a copy of the signed contract.

Dated this 15th day of December, 2009

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:

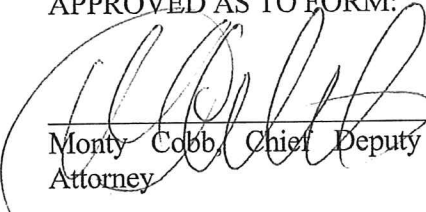

Shannon Goudy, Clerk of the Board




Tim Sheldon, Chair

EXHIBIT A


APPROVED AS TO FORM:



Monty Cobb, Chief Deputy Prosecuting
Attorney



Lynda Ring Erickson, Commissioner



Ross Gallagher, Commissioner

**RESOLUTION NO. 105-09
Annual Construction Program**

WHEREAS, Chapter 136-16 WAC, sets forth the procedures for the adoption of the Annual Construction Program; and,

WHEREAS, in compliance therewith, the board of County Commissioners has held a public hearing on the Annual Construction Program this 1st day of December, 2009.

NOW THEREFORE, BE IT RESOLVED by the Board of Mason County Commissioners, in regular session assembled, that the attached Annual Construction Program for 2010 be adopted as set forth in detail, consisting of Item No's 1 through 17, which are incorporated and made part of this Resolution.

ADOPTED this 1st day of December, 2009.

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

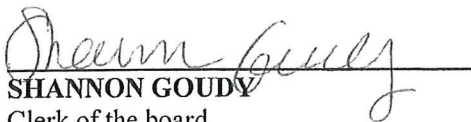


TIM SHELDON, Chair



LYNDA RING ERICKSON, Commissioner

ATTEST:

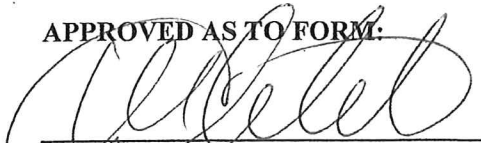


SHANNON GOUDY
Clerk of the board



ROSS GALLAGHER, Commissioner

APPROVED AS TO FORM:



MONTY COBB,
Ch. ~~Civil~~ Prosecutor
Cc: Cmmr
Public Works
Community Development
County Road Admin. Board
WSDOT/TransAid

RESOLUTION NO. 1060-09
Six year Transportation Improvement Program

WHEREAS, in compliance with W.A.C. 136-15 Mason County has prepared the attachment Six Year Transportation Improvement Program for the period January 1, 2010 through December 31, 2015; and,

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

WHEREAS, in the further compliance with said law, the Board of County Commissioners has held a public hearing on this 1st day of December 2009;

NOW, THEREFORE, BE IT RESOLVED by the Board of Mason County Commissioners, in regular session assembled, that the attached Six Year Transportation Improvement Program for 2010 through 2015 be adopted, consisting of item No's 1 through 33, which are hereby incorporated and made part of this Resolution.

BE IT FUTHER RESOLVED that the County Engineer is hereby directed to distribute copies of the Six Year Transportation Improvement Program for 2010-2015 to all required agencies.

ADOPTED this 1st day of December 2009.

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



TIM SHELDON, Chair

ATTEST:

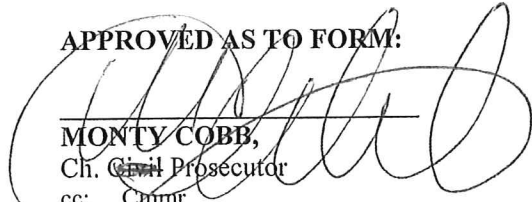


SHANNON GOUDY, Clerk of the Board

absent

LYNDA RING ERICKSON, Commissioner

APPROVED AS TO FORM:



MONTY COBB,
Ch. ~~Civil~~ Prosecutor

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



ROSS GALLAGHER, Commissioner

EXHIBIT C

6-YEAR TIP PROGRAM 2010 - 2015

PRIORITY	2009	2010	Project	EMP	EMP	2010		2011		2012		2013		2014		2015		Project Total				
						PE	RW	Constr	Total	PE	RW	Constr	PE	RW	Constr	PE	RW		Constr	PE	RW	Constr
1	1	1	ACP Overlays (maintenance)	-	-	38	944	591	3	1,200	4	1,400	4	1,400	5	1,680	5	1,680	9,363			
2	2	2	BST on Gravel (maintenance)	-	-	2	360	354	10	600	15	600	10	600	10	600	10	600	3,853			
3	3	3	Safety (maintenance)	-	-	69	30	1,248	15	5	200	15	5	200	15	5	200	15	5	3,794		
4	4	4	Minor Const (maintenance)	-	-	8	17	331	21	9	200	21	9	200	21	9	200	21	9	1,862		
5	5	5	Large Culverts (maintenance)	-	-	28	10	1,138	28	20	400	30	15	300	30	15	300	30	15	4,180		
5.2	5.2	5.2	2007 STORM DAMAGE	-	-	10	0	50	60													
5.3	5.3	5.3	Belair Tanyua Bridge Replacement	8.16		10	18	452	480													
5.4	5.4	5.4	Grapeview Loop Road Slide	6.05		10	20	580	610													
5.5	5.5	5.5	Sand Hill Road Slide	4.70		170	35	733	938													
6	6	6	Lower Ellendahl Pass Rd. Reconstr	0.00	1.87	0	0	15	15													
7	7	7	North Shore Road Erosion Repairs	var	var	5	60	1,065	1,130													
8	8	8	Johns Prairie Rd	2.52	3.45	39	107	420	566	10	100	700	2,000									
8.1	8.1	8.1	Grapeview Loop Road - 2 (4/17/09)	1.61	3.50	10	102	460	572	10	50	2,282										
8.2	8.2	8.2	Cleaning and Grubbing																			
9	9	9	Road Construction		10.00																	
9.1	9.1	9.1	Bear Creek Dewatto - 2 (4/13/11)	7.59																		
9.2	9.2	9.2	Cleaning and Grubbing																			
10	10	10	Road Construction																			
10.1	10.1	10.1	Weaver Creek Bridge Const.	0.69	0.72	225	30	0	255	20	50	1,000	800									
11	11	11	Lynch Rd / SR 101 Improvements	0.00	1.06	0	0	0	0													
12	12	12	Shelton-Matlock Rd - 2 (4/18/10)	14.50	15.50	64	51	0	115	10	15	400	2,000									
13	13	13	Shelton-Matlock Rd - 3R (4/29/11)	5.85	6.85	25	50	0	75	25	200	10	10	400	2,500							
14	14	14	Clouallum Road - 3R	1.73	1.80	5	7	0	12	25	200	10	10	400	2,500							
15	15	15	Hunter Creek Bridge	1.73	1.80	5	7	0	12	25	200	10	10	400	2,500							
16	16	16	North Island Dr - 1	0.31	1.31	10	4	5	19	40	20	30	30	15	2,000							
17	17	17	Pickering Rd - 3	3.35	4.45	5	5	0	10	10	30	20	30	20	400	15	400	15	2,473			
18	18	18	Highland Road			5	5	0	10													
18.1	18.1	18.1	Mallock Brady Road - Phase 1	23.53	28.79					60	50		1,315									
19	19	19	Treails Rd - 2	0.40	1.59					70	30		70									
20	20	20	Arcaida Road	5.50	7.07					45	30		45									
21	21	21	Shelton - Matlock Rd - 1	0.91	1.38					15			15									
22	22	22	Belair - Tanyua Rd - 1	0.00	1.15									20	15							
23	23	23	South Island Dr - 1	0.00	1.80									45	30							
24	24	24	Mallock Brady Road - Phase 2	16.86	23.53									10								
25	25	25	Clouallum - 2	4.58	5.23									10								
26	26	26	Deckenville Road - 1	0.00	1.86									10								
27	27	27	Island Lake Drive	0.44	1.18									10								
28	28	28	Johns Prairie/SR 3 Intersection	n.a.	n.a.									10								
29	29	29	Razor Road W. Extension to SR 3	n.a.	n.a.									10								
30	30	30	Newkirk Road Extension	n.a.	n.a.									10								
31	31	31	Wheelwright Street	n.a.	n.a.									10								
32	32	32	Waide Street	n.a.	n.a.									10								
33	33	33	Wasterson Street	n.a.	n.a.									10								
Misc. Engineering & ROW Costs						75	75	150	75	75	75	75	75	75	75	75	75	75	1,050			
SUBTOTAL						813	637	7,801	327	609	6,992	7,100	365	224	8,715	361	164	7,595	1,146	1,419	9,180	54,362
TOTAL ESTIMATED EXPENDITURES								9,251	9,251			8,014			9,304			8,120			11,745	54,362

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

APPROVED BY TIP-CAP
 Date of Final Approval: _____

APPROVED BY BOARD OF COUNTY COMMISSIONERS
 Hearing Date: _____
 Date of Final Adoption: _____
 Resolution Number: _____

RESOLUTION NO. 103-09
2009 BUDGET

SUPPLEMENTAL APPROPRIATION/BUDGET TRANSFERS - 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 and budget transfers to the budget as required by RCW 36.40.100, and RCW 36.40.195 for the following:

Supplemental Appropriation for revenues received in the Search and Rescue Fund in the amount of \$30,000, which were not anticipated in the adopted fund budget for the purchase of two tracking dogs.

Budget Transfers from Current Expense Ending Fund Balance to the following:

Human Resources, #001-057-000, in the amount of \$12,000 due to unanticipated professional services expenditures.

Non-Departmental #001-310-000, Current Expense Transfers Out to Trial Court Improvement, in the amount of \$25,000 due to the budget line being under funded.

Non-Departmental #001-312-000, Insurance Payment (Risk Pool), in the amount of \$39,000 due to unanticipated insurance premiums.

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

That the 15th day of December 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/budget transfer to the 2009 Budget as follows:

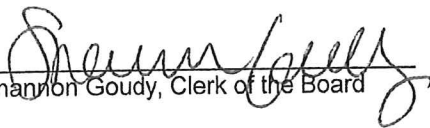
- Search and Rescue Fund (143-000-000) in the estimated amount of \$30,000
- Current Expense Fund - Human Resources Department in the estimated amount of \$12,000
- Current Expense Fund – Current Expense Transfers Out to Trial Court Improvement in the estimated amount of \$25,000
- Current Expense Fund - Insurance Payment (Risk Pool) in the estimated amount of \$39,000

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 1st day of December 2009.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

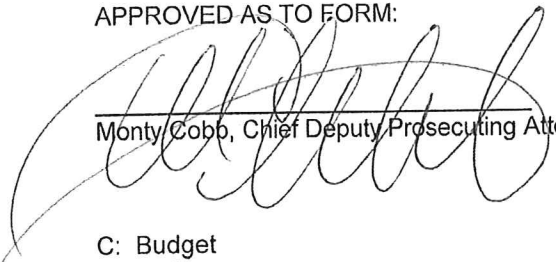
ATTEST:


Shannon Goudy, Clerk of the Board




Tim Sheldon, Chair

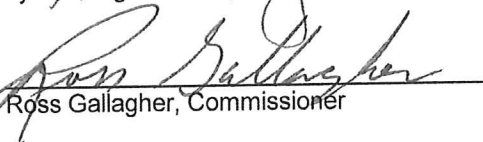
APPROVED AS TO FORM:



Monty Cobb, Chief Deputy Prosecuting Attorney



Lynda Ring Erickson, Commissioner



Ross Gallagher, Commissioner

C: Budget
Auditor
Treasurer
Search and Rescue Fund
Human Resources

Publish 2x 12/3 & 12/10 – bill to Mason County Commissioners, 411 North 5th Street, Shelton
J:\RESOLUTIONS\2009\Supp Appr Budget Resolution - SAR and HR.doc

EXHIBIT D