BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

August 2, 2011

1. Call to Order – The Chairperson called the regular meeting to order at 9:00 a.m.

2. Pledge of Allegiance – Todd Ward led the flag salute.

3. Roll Call – Present: Commissioner District 1 - Lynda Ring Erickson; Commissioner District 2 – Tim Sheldon; Commissioner District 3 – Jerry Lingle.

4. Correspondence and Organizational Business
   - 4.1 Correspondence
     - 4.1.1 The Washington State Department of Natural Resources provided Mason County's projection of income from State Forest Lands.
     - 4.1.2 The United States Bureau of Land Management is seeking input on potential Wilderness land designations.
     - 4.1.3 The Washington State Liquor Control Board sent notice of assumption for Lennard K's in Allyn and notice of a special occasion liquor license application for Colony Surf Club.
     - 4.1.4 Euteva Yount is seeking appointment to the Historic Preservation Commission.
     - 4.1.5 Patricia Sells is seeking appointment to the Mental Health Advisory Committee.
     - 4.1.6 Rik Fredrickson is seeking appointment to the Solid Waste Advisory Committee.
     - 4.1.7 James Reece Jr. and Patricia Vandehey are seeking appointment to the Planning Advisory Commission.

   - 4.2 Todd Ward, Mason County Fire District 6, thanked the Board for their donation of a totaled County vehicle that was used for fire fighter training exercises.

   - 4.3 John Keates, Parks, read a news release announcing that the Parks Department was offered grants to develop plans and areas for motorized recreational boating facilities and to develop outdoor recreation facilities.

5. Open Forum for Citizen Input –
   - 5.1 Mayor John Tarrant asked the Board to consider a sales tax to support law enforcement activities in the City of Shelton as well as Mason County. He believes it is a good option for ensuring the viability of law enforcement in the city and county. He would like to put it on the ballot for people to choose. He wanted the Board to give him a thumbs up or thumbs down on the proposal for August 16th.

6. Adoption of Agenda - **Cmmr. Sheldon/Lingle moved and seconded to adopt the agenda with the addition of item 10.2, to consider voicing no objections to a special occasion liquor license application for Huerfanitos Internacionales. Motion carried unanimously. RE-aye; S-aye; L-aye.**

7. Approval of Minutes – July 26, 2011 regular and special meeting minutes.

   Cmmr. Lingle/Sheldon moved and seconded to approve the July 26, 2011 regular and special meeting minutes. Motion carried unanimously. RE-aye; S-aye; L-aye.

8. Approval of Action Agenda:
   - 8.1 Approval to set a public hearing on Tuesday, September 6, 2011 at 9:30 a.m. to consider renewing the Cable Television Franchise Agreement between Mason County and Wave Broadband for a ten-year term.

8.2 Approval to set a public hearing on Tuesday, September 6, 2011 at 9:30 a.m. to consider renewing the Cable Television Franchise Agreement between Mason County and Comcast for a ten-year term.

8.3 Approval of CRP 1959, Highland Road and CRP 1960, Shelton Matlock Road for the 2011 A/C paving program and authorize the Chair to sign all pertinent documents and Public Works to advertise, set bid dates/times, and award contract. Contract will be announced during a regular meeting of the Board. **Resolution No. 46-11 (Exhibit A)**

8.4 Approval of the 2011-2012 Comprehensive Economic Development Strategy (CEDS) Project list as recommended by the Mason County Economic Development Council. **Resolution No. 47-11 (Exhibit B)**

8.5 Approval to award $200,000 to the Mason County Public Health Department from the Rural County Sales & Use Tax Fund (.09) for 2012 funding for the Shellfish Protection Action Plan. The Shellfish Protection Action Plan is listed in the 2011-2012 Comprehensive Economic Development Strategy List (CEDS).

8.6 Approval of the Veterans Assistance Fund application for David J. Stucke – Food $200.00 as recommended by the Veterans Assistance Fund Screening Committee.

Bob Harris asked for more information on item 8.4.

Matt Matoyoshi, Economic Development Council of Mason County, explained that the Comprehensive Economic Development Strategy list is an infrastructure project list. The process is laid out by the Economic Development Administration. Being on the list doesn't guarantee or commit funding. It allows local coordination of governments to understand the priorities and plans for building infrastructure and it also allows applications for grants and loans to have increased points.

Cmmr. Sheldon called for a separate vote on item 8.5

Cmmr. Lingle/Sheldon moved and seconded to approve Action items 8.1 through 8.6, with the exception of item 8.5. Motion carried unanimously. RE-aye; S-aye; L-aye.

Cmmr. Sheldon asked how many years the Shellfish Protection District has been funded in this amount.

Vicki Kirkpatrick, Public Health, replied that 2012 would be the fourth year.

Cmmr. Sheldon asked if the funding is primarily used for staff.

Ms. Kirkpatrick explained that it is for staff, education and outreach, as well as sampling and monitoring.

Cmmr. Sheldon stated that in his experience in the Legislature this money was set aside for infrastructure such as pump stations and roads. He believes that another source of funding needs to be found for water quality and this money should be used for nuts and bolts projects.

Cmmr. Lingle/Ring Erickson moved and seconded to approve Action item 8.5. Motion carried. RE-aye; S-nay; L-aye.

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

9.1 Public hearing to consider the Private Line Utility Occupancy Permit between Mason County and Judith Campbell Judd.

Jeremy Graham, Public Works, explained that there has been a request for a right of way easement for a private line utility between Mason County and Judith Campbell Judd. The location of the project is 750 Stadium Beach Road. It is a standard process and staff recommends approval of the permit.

Questions for Staff
Andrew Graham asked what utilities would be under the road.

Mr. Graham replied that it would be for a septic drainfield.

There was no public testimony.

Cmmr. Sheldon/Lingle moved and seconded to approve and execute the private line occupancy permit between Mason County and Judith Campbell Judd. Motion carried unanimously. RE-aye; S-aye; L-aye.

9.2 Public hearing continued from July 19, 2011 on interim rates for connection charges for the Belfair Wastewater Reclamation System and establishing minimum construction standards.

Cmmr. Ring Erickson noted that the question and answer period was closed at the last hearing.

Emmett Dobey, Utilities and Waste Management, explained that an interim ordinance to establish connection charges to the Belfair sewer is being considered. There is an implied rate in the ordinance that will not be enacted until a later public hearing in November. Changes have been made to the ordinance since the last hearing. He went over the proposed changes. The standard water consumption went from 135 gallons per day to 155 gallons per day. A technical memo is available to explain why that change was made. It had to do with the Golden Bell mobile home park's water usage. There was a change in the multi family portion from 8/10th of an ERU to 7/10th. The capital facility charge for 2014 is $7,900 instead of $7,200 and the 2015 capital facility charge is $14,500. In the previous ordinance there was not a number for that year. There are two new paragraphs in the residential ERU section that allow a single family house that is less than 400 square feet to be counted as a multi family dwelling. It also allows a mobile home park to be counted as a multi family unit, as opposed to individual lots. If the mobile home park goes delinquent in paying its bills the multi family characterization can be revoked. There is a change that allows tenants in a building to be classified at .5 instead of .8. There is an adjustment to allow the County to look at water data once per year. There is also a new section on billing regarding multiple meters on a single lot. He stated that the number of connections has also been clarified. There are 339 separate connections. 146 are single family, there are 129 commercial establishments at 1 ERU and 68 commercial establishments with more than one ERU. There are a total of 573 equivalent residential units. He noted that a fax was received from Gary Chrey prior to the meeting that suggested that additional water providers in the Belfair area be looked at. Specifically, Washington Water Company and the Riverhill Water System. If those were included it would increase the ERU to 175 gallons per day. In the technical memorandum there is an analysis that determines what 175 gallons per day would do to the rate. The individual households and smaller businesses would be charged an additional $9 per month. The 68 larger tenants would receive about an 11% reduction in their residential equivalent.

Public Testimony

Bob Harris testified that he is a landowner in the UGA. His parcels are metered with structures. One parcel has an espresso stand and a rental. The other just has a rental. He provided a copy of his previous testimony to the Board and audience. There were four points he wanted to address. He believes an ERU is an ERU. So far in the meetings he has attended the ERU has been changed to justify the burden of the ratepayers to the system. He believes the ERU should be closer to 200 gallons per day. All of the water systems in the UGA should be looked at to come up with an accurate figure. He believes the figures from the Belfair Water District were skewed. He noted that Shelton started their system with an ERU of 225 gallons per day, Case Inlet and Allyn used 219 per day, Bremerton used 250 gallons per day and Silverdale used 199 gallons per day. It is an average of 223 gallons per day so he felt that the 155 gallon ERU was erroneous. He doesn't believe there is a difference between Belfair, Shelton and Silverdale. It bothers him that the ERU can be tweaked and adjusted to pay for the system. Both the monthly rates and hook up fees are high. Silverdale only charges $3100 to hook up. It bothers him that staff is being paid to manipulate figures. He thinks the County needs to take a close look at staff because the Board has been forced to pay for expenses and staff has been unprofessional. He noted that a handwritten budget was handed out at the last hearing. The progressive ERU hook ups mean that he has $5,000 per ERU through 2012, $6,000 per ERU through 2013 and $7,200 through 2014. Another projection shows that by 2025 the rate would be $20,000 per ERU. He thinks the progressive ERU rate hinders growth and discourages people from moving to Belfair. He found that national monthly rates are much lower. It is because the system cost too much to build. He suggested that something be added in the ordinance to assist disabled social security beneficiaries. He thought it was good that the County is not rounding ERUs. He appreciates the fact that the County is offering to finance, but he questions the 5% interest rate. He thought the interest should be what is paid on the bonds along with the administrative costs. He appreciated the offer of the credit for the grinders and the $2000 electrical credit but he doesn't see either of those things in the ordinance. He also suggested that communication be increased by creating a task force of UGA residents and businesses to straighten the ordinance out. He felt that there were other problems with ordinance that needed to be pointed out. The espresso stand on his property doesn't put out waste so they are no going to use the sewer system. He wants to know if the espresso stand will still be assessed an ERU when they don't use the system. He provided copies of written testimony to the Board from people who could not attend the meeting. He read the testimony provided by Ray's Barber Shop. He hopes this isn't a north-south county issue and he doesn't believe growth will happen.

Jack Johnson commented that the uncertainties of the sewer have been emotional for the residents of Belfair. He appealed to the Board for more time to sit down and negotiate with the utilities department. The citizens have worked very hard on this and the worst thing that could happen would be if the citizens weren't heard. The citizens haven't had a chance to analyze the new information provided yet and they need time to respond. He has already testified on issues that are important to the business community. He provided a copy of a July 28th letter from Gary Chrey for the record. He wanted the decision extended a week so the citizens could have the opportunity to negotiate and have the feeling they were listened to. He thought that the ERUs were the big issue. He is glad to see that the number has gone up from 135 to 155. When the ERU is low it really affects the businesses in the community. It will also really effect future development. He gathered water data from Riverhill and Washington Water. He thought the data should be included because the developments are in the UGA and will be hooking up in the future. The community has worked very hard on this and drafted a letter, which he provided for the record. He encouraged the Board to give the citizens a week to sit down and negotiate the issues.

Rick Eger stated that he has been in the area for more than 50 years and is concerned about water quality. Prior to building his house he built a sewer system that would pump up away from the water. He raised the issue at a previous meeting that the Belfair UGA was not a major contributor to the dissolved oxygen problem. He believes that if this is mandated by the State the State should pay for it. If the County doesn't push on that then the County is responsible for the cost control. The responsibility should be at that level and not on the citizens. Due to lack of cost control the citizens are looking at increases in costs. He believes it is a matter of accountability.

Randy Neatherlin reminded the Board that hearings are to receive input from the community and the previous hearings don't really count because things have shifted again. He had an issue with the numbers and statistics because the statistics change every week. At a meeting of the North Mason Chamber the number of customers was about 400 and it continues to change.

Cmmr. Ring Erickson noted that the numbers are 146 residential, 125 small business and 68 multiple ERU businesses. Those numbers have been firm in her documentation for some time. The total number of ERUs may have changed a bit as the larger businesses provided information about their irrigation and other things.

Mr. Neatherlin stated that the other issue that bothers him is the issue of the mobile home park. He thinks that the County is going after the mobile home park because it needs the ERUs. He commented that this is a Mason County issue, not a Belfair issue. All of the tax revenue generated in Belfair goes to the County. He thought that the 8 million dollars for CH2M Hill should have been in the original budget. There is .09 money that could go into this to take the burden off. The citizens are doing a lot of work on this because it will have a major impact to the community. Jobs will be lost and it will affect the County as much as everyone else. Letters of concern have come from the Port, the Chambers, and the Realtors. He is asking the County to assume part of the burden because the benefit will all go to the County. Belfair still has to compete with their neighbors and all over Washington the ERU rates are 200 to 260. The ERU rate needs to be changed to keep competitive with others. The debt is already figured into the numbers and something has to be done to stop the next phase. In this interim ordinance the Board could put in whatever number they want for an ERU and he felt they should put in 200. He also asked the Board to consider removing the moratorium or new customers won't be able to come in.

Cliff Brown stated that he is the Director of Construction for Safeway and prior Director of Construction for QFC. They are not in the same position as small businesses but they believe that the rates are exorbitant and the cost overruns are real. Safeway expanded to invest in Belfair. The economic development of this will impact Safeway's operations, the small business owners and growth will subside. Safeway can absorb this but he is concerned that those around them won't.

Gary Chrey echoed the previous comments. He commented that the particularly distressing thing is that he has submitted three letters with specific references to RCWs, ordinances and the Growth Management Act. He has not received any kind of meaningful response from Mason County. His clients have not been given the opportunity for an open dialogue. In his opinion, that is the only way growth will occur. All of the testimony has shown that this will not make Belfair prosper. Even the large food stores have commented that they can absorb the costs but the small businesses cannot. He has asked for some revisions to the ordinance. One of his client's facilities has a sophisticated arrangement for the recycling of water, which isn't in the ordinance. There needs to be an appeal process to the Director and there needs to be set standards the Director must go by. He feels the ERU calculations are erroneous and 200 is a much more accurate number. He is confident that an independent engineer would agree. There is no good answer as to why Belfair should be treated differently than Shelton. The lower the ERU is, the more the system can charge people to hook up. It is an economically driven outcome, which isn't an appropriate, fair or legal approach. The number that is right needs to be used. Any other outcome

would lead to distrust for government, which upsets him. He encouraged the Board to allow more time to figure out a common ground between the community and the County. A spreadsheet could be made that shows all of the issues that have been addressed and the Board could make the decisions one by one. That is the process that should happen. It is an interim ordinance but once it gets adopted it becomes engraved in stone.

Jim Scott spoke about small businesses. Because he is labeled commercial it is assumed that he has a lot of money but that isn't usually correct. He has had a good relationship with the Commissioners and the building department. He doesn't agree with the ERU. He has also had foot in the bidding processes. His nephew works for a company that put a bid in for part of the project. His nephew stated that there was a problem with the way that bids were accepted. The lowest bid is not always the best bid because the cost overruns aren't built into the bid. The initial bid was 24 million and now it is 46 million because in the lowest bid the potential overruns were not included. The way the bidding process took place needs to be looked at. The costs are black and white and the ERUs have to pay for it. He doesn't know all of the resources but there should be a way to pay for it. He doesn't understand why he has to pay more just because he is labeled commercial. He was excited about the sewer but thought it needed to be tweaked to be affordable. He believed the Board could make that happen.

Ross Gallagher commented that as a former County Commissioner he is partially responsible for the project. Belfair has always wanted to become a city but to become a city they need a sewer, among other things. Everyone is aware of Growth Management and the County has been out of compliance with Growth Management in the past. The citizens of Belfair formed a task force to create a Belfair UGA and a UGA needs a sewer. What is unique about the project is that it is 90% funded from the government and other sources, while the consumer is only funding 10%. Some older systems need to be repaired and those costs go on to the consumers. Some places have septics that need to be change to sewer and that is a 100% cost to the consumer. He didn't believe the costs should be spread to everyone in the county. The City of Shelton's system is way over due to be fixed and Belfair shouldn't pay for that. There is a fine line regarding the gift of public funds and that needs to be considered too. Hopefully a middle ground can be found. He has seen other places go from septic to sewer. There have been battles, but those places have prospered. He hopes this will be a win-win.

Tom Davis questioned the purchase of the acreage for the sprayfield. He did some research and he thought that the purchase price needed to be reconsidered. It will add to the capital costs of the project. He requested a copy of the appraisal and hasn't received it yet. He hopes the Board will look at the appraisal because he has valid concerns

Cmmr. Ring Erickson closed the hearing and called for a recess at 10:52 a.m. The meeting reconvened at 11:01 a.m.

Cmmr. Sheldon noted that there have been several meetings regarding this and the subject has been thoroughly discussed. The issue that affects the Commission is that there are only three Urban Growth Areas in the county and only one incorporated city. The Urban Growth Areas are in Allyn, Shelton and Belfair. There is no doubt that the Commission has to provide an urban level of service in the Urban Growth Areas. Phase I of the project is primarily the commercial area of Belfair. He thinks the commercial area will grow and prosper after the sewer comes in. There have been several anecdotal comparisons about ERUs. It has been compared to the City of Shelton's system, which originally had clay pipes and a marine outfall. This is a new system that is state of the art. Over the years the County has been very successful in finding State and Federal money. Over 38 million dollars in grant money was found for the project. People say that the State should contribute to the project and it has. The system cannot be compared nationally to cities with an urban core because it is in a rural area. He firmly believes that Belfair will be Mason County's Silverdale. Commercial business will grow and prosper as the

country comes out of the recession. Because sewer will be available, property will be worth a considerable amount of money. The Commission doesn't have much of a choice about the costs. They cannot be passed on to those who do not have access to the system and there is a line that cannot be crossed regarding the gift of public funds. In the long run it will be a huge improvement in infrastructure for the county. The County will not be making a profit on the project and it is trying to complete the project at the lowest cost possible. Change is difficult but he thinks the county will be strong because of the improved infrastructure.

Cmmr. Lingle understood that there was a tremendous amount of passion in making sure the system works. There is a mandate that this system be there if the area is to progress. He has heard that there will be growth or that the area will fold. That is not the issue. The issue is whether someone can maintain a level of existence in an area. It is important to provide infrastructure to the area but the issue comes down to who pays for it. He isn't against the sewer system and he thinks it is a good thing. It will eventually be profitable for everyone in the long run. His concern is about who is telling the truth and what is the ERU. Belfair is part of Mason County but it has sat in a bubble for a long time. He is as confused as anyone about what establishes an ERU. He needs the truth and he doesn't think he is getting those answers. He would ask that the anger be taken out of it. This isn't a gain for one side or another. It is for the good of the whole. He has questions about the ERUs and he wants to know more about the areas that are being considered. He doesn't believe the Board has enough information and he is concerned about the small businesses and the less fortunate. He suggested that things be slowed down and looked at logically.

Cmmr. Ring Erickson commented that there are a lot of people with a lot of different numbers but this is a utility functioning under the State utility guidelines. It is an enterprise fund, which means that it cannot operate at a loss or a profit. Mason County will not make any money off the operation of the utility or any other. It will work under the same set of rules as every other public utility in the state. She thought it was important to be fair. A 135 ERU gives a rate of $96 a month. If the ERU is raised it will benefit the 68 larger commercial users and raise the rates for everyone else. Getting the best deal possible on the system has consumed a lot of the Board's time. State contributions have been 90 cents on the dollar, which is almost unheard of. Other Commissioners have told her about hard decisions they have had to make. Her decision is based on what is best for Mason County. She doesn't own a lot of property or have any affiliations with big businesses. Anything she votes for would be what best serves the residential users and small businesses of Belfair. It is not true that the ordinance will not be looked at again. In order to sell the bonds and make loans available to people who need them the Board has to set the rate now. She has reviewed everything she has received going almost back to 2005. The costs and numbers of users have been pretty consistent over time. In order to charge the most reasonable rate to residential users and the 125 commercial users that will pay the same rate as residential she thinks the Board needs to act now.

Cmmr. Sheldon agreed with Commissioner Ring Erickson that the issue needs to move forward. He also agreed with Commissioner Lingle that it has been confusing at the end due to people bringing in different numbers and hiring attorneys. It is easy to criticize, but it is extraordinary the amount of funds that the County received for the project. The reclamation facility is amazing in it's size, breadth and technology. It is driven by what the State and Federal government is requiring. He believes this is an interim ordinance and the figures can be refined. The consultants that were employed are a well recognized firm that has no financial interest in the project. The ERU has been debated too long because every community is different.

Cmmr. Ring Erickson noted that this was a rate that no one would ever be charged because the final ordinance will be enacted before the system starts up. The ordinance allows people to get the benefit of the bonds and to get their permits to hook up. Over 4 million dollars from the bonds will be used to make money available for people to borrow for the costs to hook up to the system. Because of the uncertainty in the bond market, the Board doesn't know what the loan rate will be. It will be a small administrative cost over the rate of the bond.

Cmmr. Lingle commented that he supports the program and he believes it will increase growth in the community, but he also believes there is a huge amount of information that still needs to be analyzed. He is concerned about the interim agreements with the citizens. People have the right to question things and get information.

Cmmr. Sheldon/Ring Erickson moved and seconded to approve the ordinance establishing interim connection charges for existing development to connect to the Belfair Wastewater Reclamation utility. Motion carried. RE-aye; S-aye; L-abstain. Ordinance No. 48-11 (Exhibit C)

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

10.1 Selection of the Commissioner District Plan and the corresponding Precinct Boundary Plan in accordance with RCW 29A.76.010(5).

Karen Herr, Auditor, explained that the first phase of the project is complete. There are three proposals for new County Commissioner Districts, along with three corresponding voting precinct boundaries. The Auditor's office, along with the Redistricting Advisory Committee, presented the recommendations to the Board in briefing in July and again at a special hearing on July 26th. A lot of thought and effort was put into the proposed plans. The plans were based on guidelines set out in State law and what was best for the citizens. The Committee's challenge was to ensure that each Commissioner District be as equal in population as possible, that existing communities of related interest were preserved, that district boundaries coincide with existing natural boundaries and that the districts were geographically contiguous and as compact as possible.

Cmmr. Sheldon asked the effect of the redistricting on school districts, fire districts, port districts and other taxing districts.

Amber Cervantes, Elections Superintendent, responded that the other districts' boundaries aren't disrupted. Some of the other districts need the voting precinct lines to be adopted so they can follow those lines when creating their new districts.

Bob Harris asked if Commissioner Ring Erickson would be the new Commissioner for Belfair.

Cmmr. Ring Erickson replied that the boundaries wouldn't change until the next election. In two of the plans District 1 would include Belfair.

Mr. Harris commented that option 3 looked like the best option to him because it gave the Belfair community more concise boundaries. He hoped a Commissioner could be found directly from the Belfair community.

Randy Neatherlin thanked staff for their hard work on the plans. He noted that once the plans are established it will help the Port work on their own redistricting.

Andrew Graham thanked the Board and the Auditor for the open process in which they implemented the redistricting. He hopes other counties will use a similar process in the future. He was a member of the advisory committee.

Cmmr. Sheldon thanked the committee and the Auditor's staff for their work. He liked that the Commissioners were not involved at all. He thought that's what the citizens would want. He preferred option 2 because one commissioner represents the City of Shelton. The City already has three commissioners representing the citizens and two county commissioners would give that community more elected weight. District 2 would change considerably with the new plan. He's never understood why District 2 is in a U shape around the Canal. He thinks the new plan will serve the citizens better.

Cmmr. Lingle thought the committee did an incredible job. He agreed that the Commissioners not being involved was beneficial. He also preferred option 2 because it is concise and well distributed. He noted that in option 3 there would be two commissioners living in the same district.

Cmmr. Ring Erickson noted that this would not take effect until after the 2012 election. She thought that the community of interest issue needed to be considered. She felt that option three best served Mason County. It does leave two current sitting commissioners in the same district, but it needs to be about what is best for Mason County, not what is best for the sitting commissioners.

Cmmr. Lingle/Sheldon moved and seconded to adopt option 2 of the commissioner district plans and corresponding precinct boundaries as proposed by the Redistrict Advisory Committee, with the recommendation to discuss new precinct names at another date. Motion carried unanimously. RE-aye; S-aye; L-aye. Resolution No. 52-11 (Exhibit D)

10.2 Consider voicing no objections to a special occasion liquor license application for Huerfanitos Internacionales.

Jennifer Akopian ran the business that was promoting the event along with the Shelton Athletic Club. She explained that her company holds mixed martial arts events. They are holding an exhibition on Saturday, August 6th and they have a non-profit organization that would like to host a beer garden at the event.

The Board asked several questions about the event's admittance, the serving of alcohol, insurance and security. They encouraged Ms. Akopian to submit her request to the Liquor Board in a more timely fashion next time.

Cmmr. Sheldon/Lingle moved and seconded to voice no objections to the special occasion liquor license application for Huerfanitos Internationals for the Big Town Beat Down Outdoor Cage Fight Event on August 6, 2011 at the Port of Shelton property. Motion carried unanimously. RE-aye; S-aye; L-aye.

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 11:54 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Lynda Ring Erickson, Chair

Tim Sheldon, Commissioner

ATTEST:

Shannon Goudy, Clerk of the Board

DECEASED
Jerry K. Lingle, Commissioner

Resolution No. 46-11

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF MASON COUNTY, WASHINGTON.

In the matter of initiating County Road Projects and assigning CRP numbers.

IT IS HEREBY RESOLVED THAT the roads listed below be improved as shown between the points indicated.

These projects are hereby declared to be public necessity and the county road engineer is hereby ordered and authorized to report and proceed as by law provided. (RCW 36.75.050, 36.80.030, 36.80.070) (Optional References).

IT IS FURTHER RESOLVED that appropriations from the officially adopted road fund budget and based on the county engineers estimates are hereby made in the amount and for the purposes shown:

								Cost Estimate (Thousand $)					
								Construction					
Item	Annual Const. Item No.	Road No.	Road Name	M.P	Type of Work (See Code)	Contract	County Forces	Local	Grant	Engr	R/W	Section, Township, Range	CRP No.
1	1	04450	Highland Road	0.9-1.9	D	X		250		15		Sec. 24, T 20N, R 5 W, WM	1959
2	1	90100	Shelton Matlock Road	10.1-11.3	D	X		275		15		Sec. 10-11, T 20N, R 5 W, WM	1960
								525		30			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)

(6) TYPE OF WORK CODE:

A. Grading & Draining
B. Base & Top Course
C. B.S.T. / Seals
D. A.C./P.C.C. Pavement
E. Curbs and Gutters
F. Sidewalks
G. Traffic Facilities
H. Paths, Trails, Bikeways
I. Bridges
J. Ferry Facilities
K. Environmental Mitigation
L. Fish Passage

(7) The construction is to be accomplished by contract in accordance with RCW 36.77.020 et. seq.

(8) The construction is to be accomplished by county forces in accordance with RCW 36.77.065 and WAC 136.18.30

ADOPTED this 2nd day of August, 2011

ATTEST:

SHANNON GOUDY, Clerk of the Board

APPROVE AS TO FORM

TIM WHITEHEAD, Deputy Prosecuting Attorney #37671

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

LYNDA RING ERICKSON, Commissioner

TIM SHELDON, Commissioner

JERRY K. LINGLE, Commissioner

cc: Commissioners
Engineer
JOURNAL: Publ. 1t 8/4/11 (Bill Rd Dept.)

Exhibit A

RESOLUTION NO. 47-11

RESOLUTION AMENDING RESOLUTION NO. 50-10 TO ESTABLISH THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PROJECT LIST FOR 2011-2012

WHEREAS, members of the Board of Directors of the Economic Development Council (EDC) have been designated by the Mason County Board of Commissioners as the Comprehensive Economic Development Strategy (CEDS) Committee (formerly OEDP) for Mason County, Washington; and

WHEREAS, the CEDS Committee has assisted Mason County in prioritizing possible infrastructure improvements to enhance economic sustainability throughout Mason County; and

WHEREAS, the State Legislature has authorized Mason County to retain .09 percent of retail sales taxes annually for economic development projects; and

WHEREAS, eligibility for funding must be demonstrated by a prioritization of projects; and

WHEREAS, the EDC has solicited suggested projects from local Mason County jurisdictions and community groups; and

WHEREAS, the CEDS Committee has recommended a list of projects which updates the current infrastructure needs which the Commissioners have reviewed;

WHEREAS, the Commissioners have identified the following list and priorities as listed in Exhibit A.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Board of Mason County Commissioners adopts the attached list of priorities for inclusion in the 2011-2012 CEDS publication.

Dated this 2nd day of August, 2011.

ATTEST:

Shannon Goudy, Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Lynda Ring Erickson, Chair

Tim Sheldon, Commissioner

Jerry K Lingle, Commissioner

APPROVED AS TO FORM:

Tim Whitehead, Chief Deputy
Prosecuting Attorney

C: Economic Development Council
Utilities/Waste Mng
Public Works
Public Health
Parks & Trails

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Exhibit B

Comprehensive Economic Development Strategy Project List for 2011-2012

APPLICANT	PROJECT	COST	PRIORITY
Belfair Water District No. 1	Hwy 3 Waterline Replacement/Relocation Project	$4,000,000	High
Belfair Water District No. 1	Water Systems Upgrades (4 Resevoir upgrades)	$400,000	High
City of Shelton	City of Shelton Infiltration & Inflow Control Project	$4,000,000	High
City of Shelton	Olympic Hwy N Major Overlay	$1,664,651	High
City of Shelton	Shelton Area Regional Water and Wastewater Facilities	$4,000,000	High
City of Shelton	State Route 3 Corridor & Transit Safety Improvements	$4,000,000	High
City of Shelton	Wallace Kneeland Blvd. Overlay	$1,500,000	High
City of Shelton/Mason County	US 101/Wallace Kneeland Interchange Improvement Project	$27,000,000	High
Mason County	Allyn Pump Station Improvements	$160,000	High
Mason County	Capital Improvements & Implementation Planning for Mason Co. Sewer Systems	$1,000,000	High
Mason County	Northbay Trail Development	$1,100,000	High
Mason County	Shellfish Protection Action Plan	$200,000	High
Mason County Fire Dist No. 5	Allyn Fire Station Expansion	$850,000	High
Mason County PUD No. 1	Electric Utility Upgrade and Infrastructure in PUD No. 1 Area	$8,100,000	High
Mason County PUD No. 1	PUD No. 1 Facility Energy Conservation Improvements and Upgrades	$3,500,000	High
Mason County PUD No. 1	Skokomish Valley Substation Relocation Project	$3,500,000	High
Mason County PUD No. 1	Water Utility Upgrade and Infrastructure PUD No. 1 Area	$6,800,000	High
Mason County PUD No. 3	Belfair SR 3 Utilitiy Improvements and Relocation	$3,500,000	High
Mason County PUD No. 3	Broadband or alternative broadband deployment & public safety deployment	$5,000,000	High
Mason County PUD No. 3	Downtown Shelton Senior Center Relocation & Consolidation/Repurposing Admin & Engineering Buildings	$1,500,000	High
Mason County PUD No. 3	Electric Utility Upgrade and Infrastructure in PUD No. 3 Area	$11,000,000	High
Mason County PUD No. 3	Harstine Island Broadband Deployment (Stimulus)	$8,600,000	High
Mason County PUD No. 3	Johns Prairie Habitat Restoration and Johns Creek Interpretative Program	$250,000	High
Mason County PUD No. 3	Johns Prairie Watermain Extension, Customer Connection Assistance	$1,000,000	High

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Mason County PUD No. 3	Locally Installed Renewable Energy Generation	$500,000	High
Mason County PUD No. 3	Mason County Senior Activities Association Acquisition & Renovation of PUD 3 Cota Street Properties as Senior Activities Center	$2,000,000	High
Mason County PUD No. 3	Mason Substation Rebuild	$3,000,000	High
Mason County/City of Shelton/Port of Shelton	Impact of Groundwater Withdrawl on John's Creek Study	$400,000	High
Mason General Hospital	Campus Renewal	$33,000,000	High
Port of Allyn	Architectural Standards & Regs for commercial zone & industrial lands zoning regulations	$25,000	High
Port of Allyn	Industrial Development Area Belfair	$2,000,000	High
Port of Allyn	Upgrade Allyn Water System	$125,000	High
Port of Hoodsport	Construction of Multi-Function Complex	$403,000	High
Port of Shelton	Identify & Reduce Unaccountable Water Loss on John's Prairie	$342,000	High
Port of Shelton	Johns Prairie Water	$300,000	High
Port of Shelton	Marina Piling & Float Replace/Reconfigure	$2,000,000	High
Port of Shelton	Oakland Bay Marina Bulkhead & Pedestrian Trail	$1,300,000	High
Port of Shelton	Sewer Line to Marina	$500,000	High
Port of Shelton	SF Cold Storage Facility - feasibility study	$35,000	High
Port of Shelton	SF Security Systems - cameras and gate cards	$42,000	High
City of Shelton	Franklin St. Improvement	$500,000	Medium
City of Shelton	Seventh and Alder Intersection Improvements	$1,000,000	Medium
Mason County	Coordinated UGA Stormwater Design & Implementation	$500,000	Medium
Mason County Fire Dist No. 5	Central Administration Repair & Training Facility	$1,600,000	Medium
Port of Shelton	John's Prairie Capital Hill Utilities	$100,000	Medium
Port of Shelton	JP Brownfield Cleanup	$100,000	Medium
Port of Shelton	Renovation of Building 1	$1,600,000	Medium
Port of Shelton	Sewer Collection Infrastructure	$150,000	Medium
Port of Shelton	SF Cold Storage Facility - engineering & construction	$2,500,000	Medium

7/27/2011

Exhibit B

ORDINANCE NO. 48-11

AN ORDINANCE amending Title 13 of the Mason County Code to adopt Chapter 13.31, the Belfair Sanitary Sewer Code

WHEREAS, the Board of County Commissioners (Board) of Mason County (County) approved the wastewater treatment and water reclamation system project (Project) for the Belfair Urban Growth Area (UGA); and

WHEREAS, the Project is intended to build a safe, efficient and environmentally friendly sewer system within key areas of the Belfair UGA. This system will use flat plate membrane technology, which is seen as a pivotal element vital to the health of Hood Canal; and

WHEREAS, the Project is important for future economic development in the Belfair UGA both from near term construction activity and long-term employment associated with improved infrastructure; and

WHEREAS, Hood Canal supports a vibrant commercial shellfish industry, as well as recreational shell-fishing opportunities that attract many tourists year-round; however, in Lower Hood Canal, where Belfair is located, water quality has deteriorated due to high levels of fecal coliform bacteria and increased nutrient loading; and

WHEREAS, septic systems have been identified as one of the causes of nitrogen pollution in Hood Canal; and

WHEREAS, the Board acknowledges that wastewater facilities are needed to provide a sustainable approach to water management that protects Hood Canal and treats wastewater to Class A standards for water reuse. On a long-term basis the Project will be the backbone for urban infrastructure in Belfair as mandated by the Growth Management Act; and

WHEREAS, the Board declares that the primary means of sewage collection and disposal in the Belfair UGA area shall be through construction and connection to the County's permanent sewer collection system and treatment facilities; and

WHEREAS, the Board adopted Ordinance No. 91-07, which required that all developed parcels of property located within 500 feet of the sewer alignment for the Belfair wastewater and reclamation facilities pipeline shall connect to the facilities as soon as sewer service is available; and

WHEREAS, the Board has established the County Sewer Hook-up Program to assist property owners in Belfair with the construction and financing related to connection to the Belfair sewer facilities; and

WHEREAS, the Board intends that all sewer systems owned and operated by the County shall be constructed and maintained in accordance with uniform standards; and

Exhibit C

WHEREAS, the Board desires to amend Title 13 of the Mason County Code to adopt a new Chapter 13.31, entitled "Belfair Sanitary Sewer Code" to provide uniform regulations for the construction, connection and operation of the Belfair sewer system facilities;

NOW THEREFORE, BE IT ORDAINED, that the Board of Mason County Commissioners hereby amends Title 13 of the Mason County Code, "Utilities", by adopting a new Chapter 13.31, entitled "Belfair Sanitary Sewer Code", to read as set forth on Exhibit 1, attached hereto and incorporated by reference.

PASSED this 2nd day of AUGUST, 2011.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Lynda Ring Ericksen
Lynda Ring Ericksen, Chairperson

Tim Sheldon, Commissioner

Jerry Lingle, Commissioner

ATTEST:

Shannon Goudy, Clerk of the Board

APPROVED AS TO FORM:

Chief Deputy Prosecuting Attorney
Tim Whitehead, WSBA #37621

cc: Elected Officials
Dept. Heads

Exhibit C

ORDINANCE 48-11

CHAPTER 13.31
BELFAIR SANITARY SEWER CODE

Sections:

13.31.010 Purpose and intent.
13.31.020 Definitions.
13.31.030 Connections to public sewer required.
13.31.040 Administration.
13.31.050 Permits.
13.31.060 Permit fees, connection charges (CFC), ERUs.
13.31.070 County Sewer Hook-up Program.
13.31.080 ERU updates, capacity charges, strength charges.
13.31.090 Billing.
13.31.100 Unlawful use of public sewer system.
13.31.110 Enforcement.
13.31.120 Phase Description - Figure C

13.31.010 Purpose and intent.

A. Purpose. The purpose of this Chapter is to establish a sanitary sewage code for the Belfair Urban Growth Area. It is the intent and purpose of the board of county commissioners that sewer systems under its responsibility be constructed and maintained in accordance with uniform standards.

B. Uniformity. The board further declares that the primary means of sewage collection and disposal in the Belfair Urban Growth Area sewer service area shall be through the construction and extension of permanent sanitary sewers and connection of all sewage disposal systems to permanent sewer collection systems and sewage treatment facilities. The construction of sewer systems shall be in accordance with any applicable wastewater facility plan, or engineering report, rules and regulations governing the use of utilities for development and with all other rules, regulations and requirements as may be prescribed from time to time by the respective agencies of Mason County and the state of Washington.

C. Other applicable codes. In the event that federal, state or other applicable laws impose a standard or regulation that is in conflict with any provision of this code or any standard or regulations that the county may adopt pursuant to this code, then the most restrictive standard shall prevail.

13.31.020 Definitions.

A. Adoption. The words, terms and phrases used in this chapter shall have the same meanings as provided in Section 13.28.020 of this title, entitled "Definitions" for the North Bay - Case Inlet Sanitary Sewer Utility Administrative Code, which is adopted and incorporated by reference herein. For purposes of this chapter, any reference to North Bay - Case Inlet in Section 13.28.020 shall be replaced with "Belfair Urban Growth Area".

Exhibit C

B. Amendments. For purposes of this chapter, the definitions in Section 13.28.020 applicable to the Belfair Urban Growth Area are amended, deleted or supplemented as follows:

1. "Connection charges" means charges assessed by the "county" against a property owner for connection to "public sewer facilities" owned by the "county". Throughout this chapter, the terms "connection charges" and "Capital Facilities Charges ("CFC") mean the same thing and may be used interchangeably.
2. "County Sewer Hook-up Program" means the county program where owners of existing developed properties in Phase 1 may elect to contract with the county to install any lateral side sewer lines necessary to connect their property to the public sewer system and disconnect their septic systems. Under the program, the property owners shall be responsible for the costs of this service.
3. "Department" means the Mason County department of Utilities and Waste Management.
4. "Director" means the director of the department of Utilities and Waste Management.
5. Phase 1 means the geographic area identified and depicted on Figure C as Phase 1 referenced in Section 13.31.120.
6. Phase 2 means the geographic area identified and depicted on Figure C as Phase 2 referenced in Section 13.31.120.
7. "Residential equivalent unit (R.E.)" as defined in Section 13.28.020 shall be deleted and not apply to this chapter. The term "Equivalent Residential Units" (ERU) shall be used in this chapter, and unless otherwise defined elsewhere, means a measure of the estimated average volume of sewage flowing from a given parcel into the sewer system in relation to the estimated flow from an average single-family residential account.
8. "Standard water consumption" means the amount of annual water consumption defined as one ERU. The standard water consumption shall mean one hundred fifty five (155) gallons per day, equivalent to seven thousand five hundred sixty four (7,564) cubic feet of water per year.

13.31.030 Connections to public sewer required.

A. New development must connect. Pursuant to Mason County Ordinance No. 91-07 and MCC 17.03.030, every new building or structure located on property within 500 feet of the sewer alignment for the Belfair Wastewater and Reclamation Facilities pipeline shall be connected to public sewer facilities as soon as sewer service is available.

B. Existing structures or buildings must connect. Pursuant to Mason County Ordinance No. 91-07 and MCC 17.03.030, every existing structure or building located on property within 500 feet of the sewer alignment for the Belfair Wastewater and Reclamation Facilities pipeline shall connect to the public sewer facilities as soon as sewer service is available. Such connection shall be consistent with MCC 17.03.030 and occur if: (a) they are served by or have historically been served by septic systems; (b) they receive water service or rely on well water for non-irrigation purposes; or (c) they generate stormwater that fails to meet state standards for

stormwater quality. If any provisions of this section conflict with MCC 17.03.030, then the most restrictive provisions shall apply.

C. Exemption. The director may exempt a property owner from the connection requirement of this section if the property owner provides evidence that the property generates only Class A stormwater and has a Department of Ecology discharge permit.

D. Permanent connections, construction standards. All connections to the public sewer facilities of the county shall be made in a permanent and sanitary manner in accordance with the provisions of this chapter and shall be sufficient to carry all wastewater of every kind from the building or structure into the public sewer. All connections to public sewer facilities shall be made in the manner prescribed in Article 5, Construction of Sanitary Sewer Systems of the North Bay/Case Inlet (Mason County) sanitary sewer administrative code, or in the discretion of the director, with other standards necessary for the Belfair Urban Growth Area.

E. Disconnection of septic system. All property owners that connect to the public sewer system shall disconnect and decommission their septic systems at the time of connection to the public sewer facilities in a manner consistent with all laws, rules and regulations.

13.31.040 Administration.

A. Administering department. The department of utilities and waste management has been established as a department within the government of the county. This department is under the management of the director of utilities and waste management. This department has the responsibility for the construction, maintenance and operation of the public sewer facilities, which are owned by the county, serving the Belfair Urban Growth Area.

B. Authority. The department of utilities and waste management shall construct, operate and maintain the public sewer system facilities servicing the Belfair Urban Growth Area, including collection systems and water reclamation facilities, for the collection, treatment, and beneficial use of wastewater.

C. Sewer fund. The county shall by separate resolution or ordinance create a sewer utility fund to properly account for any and all revenues received for the use of sewers as set forth in this chapter. All expenses for administration, development, construction, operation, maintenance and repair of the Belfair wastewater and water reclamation facilities and sewer system shall be charged to such fund.

D. Review, inspection and construction of sewer facilities. Prior to the construction, installation and operation of any public sewer facility or any private sewer facility governed by the provision of this chapter, property owners or their agents who are responsible for the construction shall be required to obtain a building permit and pay all required fees and charges.

E. Defects. The department may require the party or entity responsible for the construction to demonstrate satisfactory completion of all sewer lines installed by or on behalf of the owner. If defects are discovered by the county, the party responsible for the construction shall undertake and will be responsible for incurring all costs for repairing all defects.

F. Inspection.

1. For approval of the permit required by this chapter, the director or his/her designee shall be authorized to enter upon easement premises served by any building sewer or

grinder pump installation or connected with any public sewer at all reasonable hours to ascertain, inspect or make necessary tests to determine whether the provisions of local, state and federal laws relative to sewerage have been complied with. In the event entry is refused, necessary steps shall be taken to make application for a search warrant to accomplish the appropriate inspection. Provided, however, if a search warrant cannot be obtained and the director has reason to believe that a violation of applicable provisions of local, state or federal laws relative to sewerage may exist, the department shall have the right to terminate the connection of the property to the public sewer facilities.

2. If such sewer, or its attachments, are in conflict with the provisions of any law or resolution in regard thereto, the property owner or his/her her agent shall be notified to cause such sewer or its attachments to be so altered, repaired or reconstructed at the owner's expense, so as to make them conform to the requirements of the laws and resolutions within a reasonable time limit established by the director from the time of receipt of such notice.

3. Every employee of the department being authorized to enter upon private property to inspect or have charge or maintaining the public sewer facilities of the department shall be furnished with means of identification and shall carry such identification at all times when engaged upon the duties of his/her position and produce and exhibit the same upon request.

13.31.050 Permits.

A. Permits required. No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer facilities or appurtenance thereof or construct any sewer disposal system without first obtaining a written permit from the department or other responsible agency. This article covers both permits for gravity sewer connections and grinder pump installation for the service area.

B. Building sewer permits. There shall be two classes of building sewer permits: (a) for residential, single-family service; and (b) for nonresidential service. In either case, the property owner or his/her agent shall make application on a form furnished by the county. A building sewer permit shall be required of any owner of the lots, parcel of real estate or structure(s) either required or electing to make a connection to a public sewer or make a modification, repair, disconnection, inspection or addition to an existing building sewer. The appropriate permit and plan check fee shall be paid to the county at the time the application is filed. Upon acquisition of the building permit and payment of the connection fee, the owner shall receive a "blue card" authorizing construction and connection.

C. Sewer permit - Term. A building sewer permit is valid for twelve months from the date of issuance. The sewer permit may be extended an additional twelve months without securing a variance. If after twenty-four months, the sewer permit expires but the owner still wishes to connect owner's property to a sewer, the owner must obtain a new permit and pay the county another full permit fee unless circumstances, in the judgment of the director, warrant a variance. If a sewer permit is cancelled by the owner, the full permit fee shall be forfeited.

D. Building sewer permit requirements. A building sewer permit shall be obtained in the following manner:

Exhibit C

1. Permits shall be issued only upon proper application to the Mason County department of community development.
2. A permit which authorizes work in a public right-of-way or easement dedicated to Mason County or the connection with or opening into any public sewer other than through the normal opening of a wye, tee or side sewer stub shall be issued to a licensed contractor.
3. A permit which authorizes building sewer work may be issued to the owner of the property. For building sewer as defined in Section 13.28.020 of this code, the owner may perform only that portion of the connection located on private property and not in public right-of-way or easement dedicated to the county.
4. Sewer permits shall not be transferable. Except as provided in 13.31.070, County Sewer Hook-Up Program, no person shall lay any pipe pursuant to any other person's or contractor's permit.
5. A sewer permit shall be issued prior to commencement of construction and only after all applicable charges and fees have been paid to the department by the owner or developer.
6. No sewer permit allowing connection to the public sewer shall be issued before the main sewer is accepted by the director, and the property owner so notified. An interim approval allowing building sewer construction without connection to a non-operational sewer may be issued at the discretion of the director.
7. The permit card must be posted on the job prior to commencing the work and must be readily accessible to the director.

13.31.060 Permit fees, connection charges (CFC), ERUs.

A. Permit fees & costs.

1. At the time of application for a building permit, or if an applicant seeks to connect to the sewer system, the applicant shall apply for a sewer connection permit (blue card) and shall pay to the county a permit fee established by resolution of the board together with connection charges and/or other applicable charges (including grinder pump charges), if any, required by this chapter. If the permit is not issued, the permit fee, grinder pump charge and connection charges shall be refunded.
2. All costs and expenses incidental to the installation and connection to the sanitary sewer system whether it be gravity or grinder pump connection, shall be borne by the owner, including costs associated with decommissioning any existing septic tank. If sewer service by grinder pump is allowed by the director, owners shall purchase the required grinder pump from the county. The cost to the owner shall be that paid by the county for the grinder pump, including tax. Owners shall be required to provide right-of-entry documents for those properties served with a grinder pump.

B. Connection charge/Capital Facilities Charge (CFC) - intent. Consistent with RCW 36.94.140, and subject to the exceptions stated in this section, the intent of the CFC is to recover

the full cost of capacity, which is defined as the projected total capital cost of the sewer system at full build-out, net of grants and property owner capital contributions (such as Utility Local Improvement District assessments or the value of sewer infrastructure paid for by developers and donated to the system), divided by the number of ERUs projected to be served by the system at full build-out. The calculation of the CFC shall only include capital costs to develop or expand the system, not to renovate or repair an existing system. The estimated full cost of capacity is expected to be updated periodically in order to reflect updated cost and ERU growth projections and to incorporate accrued interest for up to ten years for infrastructure already built.

C. Connection charge/CFC required. A connection charge/CFC shall be paid to the county before any structure is connected to public sewer facilities. No sewer permit shall be issued prior to the application for a building permit. No building permit shall be issued until all connection charges have been paid in full, except as otherwise provided in this chapter. The CFC shall be the fixed dollar amount set forth in 13.31.060.G per ERU for a given parcel.

D. Residential ERUs.

1. The amount of annual water consumption defined as an ERU shall be referred to as the standard water consumption. The standard water consumption shall be one hundred fifty five (155) gallons per day, equivalent to seven thousand five hundred sixty four (7,564) cubic feet of water per year.
2. Subject to the exceptions stated in this section, each free-standing single-family residential structure shall be charged one (1) ERU for sewer service.
3. Subject to the exceptions stated in this section, if more than one free-standing single-family residential structure is located on one tax parcel, each structure shall count as one (1) ERU.
4. Multi-family uses are defined as two or more dwelling units in one structure. The number of ERUs for a multi-family structure shall be defined as the number of dwelling units multiplied by 0.7.
5. Where a legally permitted home occupation takes place within a residence, the structure shall be treated as a residential use for the purposes of determining ERUs, and not as a commercial use.
6. Where an ancillary structure is substantially dependent on a primary residence for normal residential functions (such as a detached garage apartment without separate kitchen facilities), the Director or his designee may consider the ancillary structure to be part of the primary residence for the purpose of determining ERUs.
7. Where a single-family structure of 400 square feet or less (exterior dimensions) is located on a parcel with another residential or commercial structure, the single-family structure of 400 square feet or less shall be counted as a multi-family dwelling unit. Where common ownership and a shared water meter exist, the Director or his designee may consider adjacent parcels to be functionally equivalent to one parcel for the purpose of determining the applicability of this provision.

8. A manufactured housing community, as defined in RCW 59.20.030, may elect to have its residential structures treated as a group, even if the manufactured homes are located on separate parcels and/or have separate water meters. If the manufactured housing community elects to be treated as a group, upon written notice of such election, it shall be billed as a single customer, and its residential structures shall be counted as multi-family dwelling units. If the manufactured housing community as a whole becomes delinquent, as defined by MCC 13.31.090.C, the Director may revoke the group status, and upon written notice of such determination, each manufactured home will be counted and billed as a single-family residential structure going forward.

E. Commercial ERUs.

1. The minimum number of ERUs for commercial accounts shall be one (1) ERU for each sewered structure. Where a given commercial structure has multiple tenants with separate plumbing fixtures, the minimum number of ERUs shall be one (1) for each tenant.
2. For a multiple-tenant commercial structure in which all tenants share common plumbing fixtures (such as an office building with shared restrooms and shared kitchen facilities), the minimum number of ERUs is defined as 0.5 multiplied by the number of tenants. For a multiple-tenant commercial structure in which some tenants have separate plumbing fixtures and other tenants rely entirely on shared plumbing fixtures, the minimum number of ERUs is defined as the number of tenants with any separate plumbing fixtures, plus 0.5 multiplied by the number of tenants relying entirely on shared plumbing fixtures.
3. Where water consumption data can be obtained, the number of ERUs for an account shall be defined as the greater of (a) the minimum ERUs for that account, or (b) the account's total water consumption for the previous year divided by the average water consumption for single-family residential accounts, rounded off to the nearest 1/10th of an ERU.
4. Unless the actual monthly water consumption for a commercial account is available, the number of ERUs for a commercial account shall be based on the type of business(es) occupying the parcel, applying the categories shown in Figure A (below). The estimates in Figure A (below) may be updated as necessary to reflect actual experience with similar types of businesses in Belfair or updated guidelines from state or federal governments, professional associations, or other utilities about standard water consumption by property use.
5. When the categories in Figure A (below) are used to estimate the commercial ERUs for a given commercial or mixed use parcel with more than one sewered structure or more than one tenant, the number of ERUs shall be the sum of the estimated ERUs for each tenant within each sewered structure. Commercial tenants relying entirely on shared plumbing fixtures shall be calculated as 0.5 times the number of ERUs shown in Figure A (below), with the total for the entire account rounded off to the nearest 1/10th of an ERU.

6. For mixed use parcels with both commercial and residential uses, where water consumption data is available, the number of commercial ERUs shall be the greater of: (a) the minimum number of commercial ERUs; or (b) the number of ERUs determined from the total water consumption for the entire parcel minus the number of residential ERUs.

If a commercial account relies on a well for drinking water in place of being connected to a municipal water system, the categories in Figure A (below) shall be used to estimate its ERUs. If a commercial account relies partly on a well and partly on the municipal water system, metered water consumption shall be the basis of the ERU calculation for those structures connected to the municipal water system, and there shall be additional ERUs calculated from structures receiving drinking water from a well, using Figure A (below). If a well is used only for irrigation water, no ERUs will be assigned to water from that well. F. Figure A - Commercial ERUs by Property Use:

Commercial ERUs by Property Use

Type of Use	*ERU Assumption if Water Data Not Available*
Service Station	1 ERU; convenience store (small retail) is additional 1 ERU
Church (with kitchen)	1.44 ERUs per 100 people
Restaurant (with seating)	1 ERU per 12 seats
Restaurant (to-go only)	2 ERUs
Espresso Drive-through	1 ERU
Hotel	100 gallons per day (gpd) per room (restaurant or banquet facilities are counted separately)
Large Office	2 ERUs
Small Office	1 ERU
Doctor Office	500 gpd per 1,000 square feet
Dentist Office	750 gpd per 1,000 square feet
Auto Service	40 gpd per service bay
Small Retail	1 ERU
General Retail	100 gpd per 1,000 square feet
Grocery Store (with deli/meat/produce)	100 gpd per 1,000 square feet
Salon	1 ERU plus 25 gpd
Laundromat	1 ERU per washer
Daycare	10 gpd per person
Animal Grooming	30 gpd per person, add 50 gpd per tub/stall
Animal Boarding	30 gpd per person, add 5 gpd per stall
Sources: *Washington Dept. of Health, Criteria for Sewer Works Design* *King County Metro Equivalencies* *Clark County Washington, Commercial Flow Calculation* *California EPA, WastewaterTreatment Facilities Construction Revenue Program Guidelines* *New York State, Design Standard for Wastewater Treatment Works*	

All ERU calculations are rounded off to the nearest 1/10th of an ERU. The rounding applies to the total account, not to individual tenants or structures within a given account.

Exhibit C

G. CFC Schedule. The CFC schedule shall be as follows:

1. From July 1, 2011 through December 31, 2012, the CFC shall be $5,000 per ERU.
2. From January 1, 2013 through December 31, 2013, the CFC shall be $6,000 per ERU.
3. From January 1, 2014 through December 31, 2014, the CFC shall be $7,900 per ERU.
4. After December 31, 2014, the CFC shall be $14,500 per ERU.

H. Exceptions. Exceptions to the CFC amounts established in 13.31.060.G are as follows:

1. From July 1, 2011 through December 31, 2011, the CFC to connect existing structures located in Phase 1 to public sewer facilities shall be $3,000 per ERU. Thereafter, the CFC amount shall be as established in 13.31.060.G.
2. From July 1, 2011 through December 31, 2011, owners of existing developed property located in Phase 2 may elect to pay a CFC of $3,000 for no more than one ERU per parcel in advance of the availability of sewer service to Phase 2 ("capacity reservation"). The capacity reservation shall entitle the property owner to connect one ERU from that parcel to public sewer facilities when service becomes available. Thereafter, the CFC amount shall be as established in 13.31.060.G. If a property with more than one ERU has purchased a capacity reservation for one ERU, the CFC for the additional ERUs shall be required to be paid at the then-current rates before the property is connected to public sewer facilities.
3. The county shall charge any parcel that has a capacity reservation for one ERU a capital service charge of $25 per month. If the capital service charge is delinquent for 60 days beyond the due date, the property owner will receive a notice warning of the impending loss of the capacity reservation. If the capital service charge remains delinquent for 120 days beyond the due date, the capacity reservation shall be terminated. Upon termination, the parcel's connection to the public sewer facilities shall require the payment of a CFC at the then-current rates established by 13.31.060.G; provided that the county shall provide the property with a $3,000 credit against the future CFC to be applied at the time of connection.

13.31.070 County Sewer Hook-up Program.

A. Program. Under the County Sewer Hook-up Program ("Program"), owners of existing developed properties in Phase 1 may elect to contract with the County to install any side sewer lines necessary to connect the property to the sewer system, and disconnect the septic system. The property owner shall be responsible for the cost of this service. The County shall provide an estimate of the cost before performing the service. The cost of connecting a given property may vary depending on the characteristics of the site.

Exhibit C

B. Financing. The cost of connection services under the program may be financed over a 10-year period at 5% interest.

C. CFC financing. The property owners electing to participate in the program may also finance up to one-half of their CFC (or $1,500) over a 10-year period at 5% interest.

D. Monthly bill. The interest and principal on the financed portion of the CFC and the connection services will be added to the monthly sewer bill of the account until the balance due and owning is paid in full.

E. Prepayment. Customers may elect to pay off the outstanding principal balance of their debt under the County Sewer Hook-up Program at any time without penalty.

F. Program contract. Property owners who elect to participate in the Program shall be required to execute agreements providing for such participation in a form required by the director.

13.31.080 ERU updates, capacity charges, strength charges.

A. Updating ERU estimates.

1. The number of ERUs used to calculate the monthly sewer charges for a given commercial or mixed use parcel will be updated on an annual basis, and based upon the most recent data available on water consumption.
2. If updated water consumption data is not available, historical metered water consumption data shall take precedence over the estimated ERUs in 13.31.060.F - Figure A, as the basis of ERU calculations; provided that the property use or intensity of development has not changed. In general, absent a change in property use or intensity of development, the source of data of the commercial ERU calculation is intended to be, in priority order: (1) immediate past year's metered water consumption; (2) historical metered water consumption; and (3) 13.31.060.F - Figure A.
3. When property redevelopment or changes in tenant use increases the number of ERUs estimated for a given parcel, the property owner shall pay a CFC consisting of the number of incremental ERUs multiplied by the then-current CFC per ERU.

B. Capacity charges.

1. Regardless of whether there has been property redevelopment or changes in tenant use, if the most recent annual water consumption information for a given commercial or mixed use parcel is higher than the water consumption determined by the number of ERUs for which CFCs have been paid, and if the increase is at least the standard amount of water consumption currently defined as one ERU, then the county shall calculate an additional monthly charge equivalent to a CFC on the incremental ERUs. This additional monthly charge shall be referred to as a "capacity charge."
2. Property owners may at any time elect to buy additional ERUs of capacity rights (thus foregoing the capacity charge) by paying a CFC at then-current rates for the incremental number of ERUs.

3. If the county adjusts the standard water consumption used to define one ERU, a "re-basing factor" will be calculated and applied to the original number of ERUs of CFCs paid in order to create an adjusted number of ERUs of CFCs paid for each property. The re-basing factor will be the old standard water consumption divided by the new standard water consumption. For the purpose of implementing the capacity charge, the number of ERUs for which a given property owner has purchased capacity rights shall be defined as the greater of (a) the number of ERUs of capacity rights after applying the adjustment factor, or (b) the number of ERUs of CFCs actually paid.

4. Once a property has been connected to the sewer, refunds of CFCs may be given only if there have been technical errors in the original ERU calculation, and not for changes or periodic reduction in water consumption.

C. Adjustments to Water Consumption Data.

1. If a property owner elects to install a deduct meter or an irrigation-only meter as approved by the director at the property owner's own expense that measures irrigation-only use, the irrigation water shall be subtracted from the annual water consumption upon which the ERUs are calculated.

2. Until January 1, 2014, if a property owner requests an adjustment in the calculation of annual water consumption due to seasonal irrigation, and if the parcel does not experience a summer seasonal peak in indoor water consumption for that parcel, the county may, in its discretion, substitute the average off-peak water consumption for the measured peak-month consumption when calculating the ERUs. Unless usage patterns show otherwise, the peak season is assumed to be June-August. After January 1, 2014, only deduct meters or irrigation-only meters will serve as the basis for adjusting water consumption for irrigation.

3. In relying on the immediate past year's metered water consumption as the basis of ERUs for a given parcel, the intent is to estimate the relative sewage flows from that parcel for the upcoming year. To that end, the county may extrapolate from partial year data or use historical data when it appears that the recorded water use data for the immediate past year is anomalous or incorrect. This extrapolation is intended to addresses situations where there might have been leaks, stolen water, meter malfunctions, or capital improvements during the year that will reduce water consumption for the upcoming year.

4. For commercial laundry facilities, the director may adjust the water consumption data used for calculating ERUs to account for the percentage of water used in the washing machines that evaporates in the dryers rather than being discharged to the sewer. This adjustment shall be based on the best available research for the washing machines in use by the facility.

D. Strength Charges.

1. Based on the property use, commercial accounts or mixed-use accounts shall be classified as domestic strength or high strength, using the estimates in Figure B (below). Residential accounts are estimated to have between 175-250 parts per million (ppm) of both biological oxygen demand (BOD) and total suspended

solids (TSS). For commercial accounts or mixed-use accounts, "domestic strength" shall mean a concentration of BOD and TSS that is less than or equal to 500 ppm for both BOD and TSS. "High strength" shall mean a concentration of either BOD or TSS that is more than 500 ppm for either BOD or TSS.

2. If a parcel has multiple tenants, and some of the tenants are high strength, the strength charge shall be prorated in proportion to the number of ERUs estimated for each tenant. The sewer bill shall identify the strength charge and high-strength ERUs separately.

3. A business customer may appeal its strength classification to the county by paying for and providing to the county sampling and lab testing to determine site-specific BOD and TSS loadings. The sampling and testing shall be controlled and executed by the county at the time determined by the county, at the customer's cost and expense. If the testing shows the sewage from the site to be below the high-strength threshold for both BOD and TSS, then the strength charges shall be eliminated from future sewer bills, unless the department determines in the future that circumstances have changed on the property to warrant strength charges.

4. Upon receipt of a strength classification appeal, the county shall notify the property owner of the estimated cost of the appeal. The property owner appealing the strength classification shall pay the estimated appeal cost. Upon such payment, the county will conduct the testing and make a determination about the strength classification based on site-specific data. If the county determines that the property in question is a domestic strength account, then any strength charges paid prior to the date of the appeal will be refunded to the date of the appeal, and future strength charges will not be applied for a period not to exceed 12 months.

E. Figure B - Strength categories by property use:

Strength Categories by Property Use

Type of Use	*BOD (ppm)*	*TSS (ppm)*	*Strength Category*
Residential (varies with average water usage per capita)	175-250	175-250	Domestic
Auto steam cleaning	1,150	1,250	High
Bakery, wholesale	1,000	600	High
Bars without dining facilities	200	200	Domestic
Car wash	20	150	Domestic
Department and retail store	150	150	Domestic
Hospital and convalescent	250	100	Domestic
Hotel with dining facilities	500	600	High
Hotel/motel without dining	310	120	Domestic
Industrial laundry	370	680	High
Laundromat	150	110	Domestic
Laundry, commercial	450	240	Domestic
Grocery store with garbage grinders	800	800	High
Mortuary	800	800	High

Exhibit C

Professional office	130	80	Domestic
Repair shop and service station	180	280	Domestic
Restaurant	1,000	600	High
School or college	130	100	Domestic
Definitions *BOD: Biological Oxygen Demand. TSS: Total Suspended Solids. Ppm: parts per million.* *Domestic strength: Both BOD and TSS <= 500 ppm.* *High strength: Either BOD or TSS > 500 ppm.*			
Source of BOD and TSS estimates by type of business: *California EPA, WastewaterTreatment Facilities Construction Revenue Program Guidelines*			

13.31.090 Billing.

A. Definition of Accounts – Sewer accounts shall be defined primarily by the tax parcel for which sewer service is to be provided. Where a given parcel has more than one water meter, the Director or his designee may elect to treat the parcel as having more than one sewer account for billing purposes; however, the ultimate responsibility for paying all sewer charges still rests with the property owner. Where a given property owner owns more than one adjacent parcel, then upon request of the property owner, the Director or his designee may treat the commonly-owned parcels as one sewer account for convenience in billing.

B. Billing - Billings shall be mailed prior to the tenth day of every month. Sewer user charges shall be due and payable before the first day of the next monthly billing period for which charges are made.

C. Delinquent charges and liens. Delinquent charges and liens shall be as set forth as those described in Article 9, Enforcement of the North Bay/Case Inlet sanitary sewer utility administrative code.

D. Billings - To whom mailed. Billings may be mailed to the owner of the property, or his/her tenant, insofar as the county may reasonably ascertain the same. Failure to receive such bills shall not relieve and person liable therefore from the obligation to pay the same, nor the property receiving such service, or capable of receiving such service, from such lien therefore as may thereafter attach to the property in the manner provided by law. A fee of ten dollars shall be charged for any change in tenant, renter, ownership, or billing address.

E. When payments are due. Account holders begin paying the monthly sewer rate when they pay the CFC and sewer service is available. Phase 2 property owners who elect to purchase capacity reservations begin paying the monthly capital service charge when they pay the CFC. Monthly sewer charges are to be paid in advance of service, notwithstanding the fact that the amount of the charge may be based on historical data. Likewise, capital service charges for Phase 2 capacity reservations are to be paid at the beginning of the month for which they apply.

F. Seasonal disconnections prohibited. Seasonal disconnections are prohibited. If a property disconnects its sewer service, then in order to be re-connected to public sewer facilities, the property owner shall pay the then-current CFC per 13.31.060.G and all other applicable county fees and charges for a new sewer service.

G. Payment priority. Payments received by the county shall be applied in the following order: (1) interest charged for delinquent accounts; (2) late penalties for delinquent accounts; (3)

monthly sewer charges, including capital service connection charges, strength charges, and capacity rental charges; (4) interest on the outstanding County Sewer Hook-up Program debt; and (5) outstanding principal from the County Sewer Hook-up Program.

13.31.100 - Unlawful use of public sewer system. All prohibited uses and unlawful acts relating to public sanitary sewers, as established by Article 8 of the North Bay/Case Inlet (Mason County) sanitary sewer administrative code, shall apply to this chapter.

13.31.110 - Enforcement. Enforcement of this chapter shall be according to Article 9 of the North Bay/Case Inlet (Mason County) sanitary sewer administrative code.

13.31.120 - Phase Description. Phases 1 and 2 are the geographic areas identified and depicted on Figure C attached hereto and incorporated herein in full by this reference.

Exhibit C

Figure C

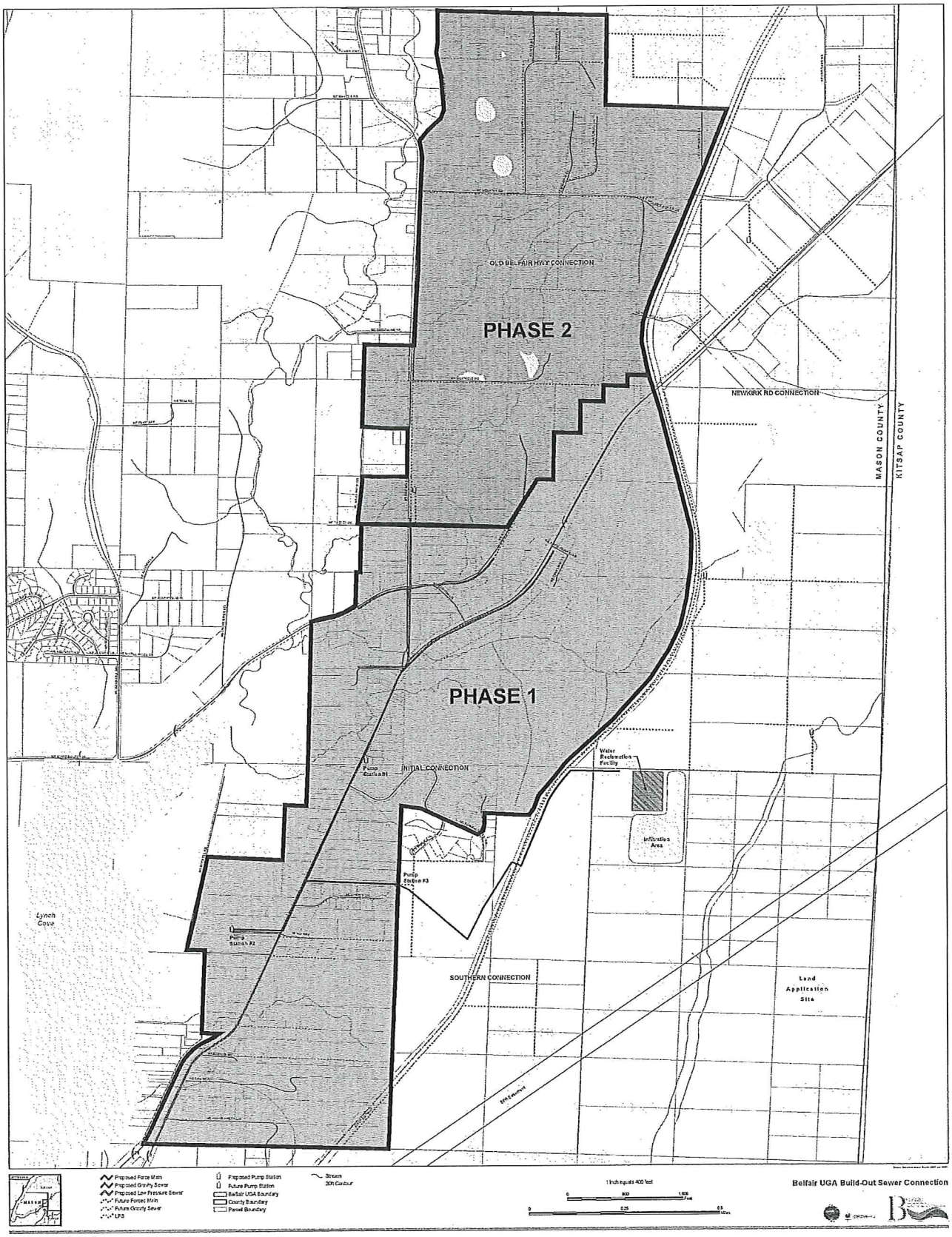


Exhibit C

Resolution No. 52-11

Resolution amending County Code Chpt. 1.12, Voting Precincts, to adopt Mason County Commission Redistricting Plan and corresponding precinct boundaries

Whereas, RCW 29A. 76.010 requires the Mason County Commission to redistrict its internal County Commissioner Districts based on the population information from the most recent federal census data, and task was delegated to the County Auditor's Office for facilitation, and;

Whereas, the County Auditor comprised a Redistricting Advisory Committee representing various community interests to develop three plans to present to the Commission that would serve the best interests of Mason County citizens, and;

Whereas, recent legislation allowed the number of registered voters to increase in each precinct, the Auditor requested the Advisory Committee to incorporate the creation of new precinct boundaries that would correspond with each Commissioner District Plan presented, and;

Whereas , a public hearing regarding the redistricting options that were presented to the Commission was held at least one week prior to the selection and adoption of a plan, and;

NOW, THEREFORE, BE IT HEREBY RESOLVED: That the Mason County Board of County Commissioners hereby approve and adopt plan number two and its corresponding voting precincts as set forth in Exhibit "A" attached hereto.

Approved this 9th day of AUGUST 2011.

Mason County Board of Commissioners

Lynda Ring Erickson, Chair

Jerry Lingle, Commissioner

Tim Sheldon, Commissioner

Attest:

Shannon Goudy, Clerk of the Board

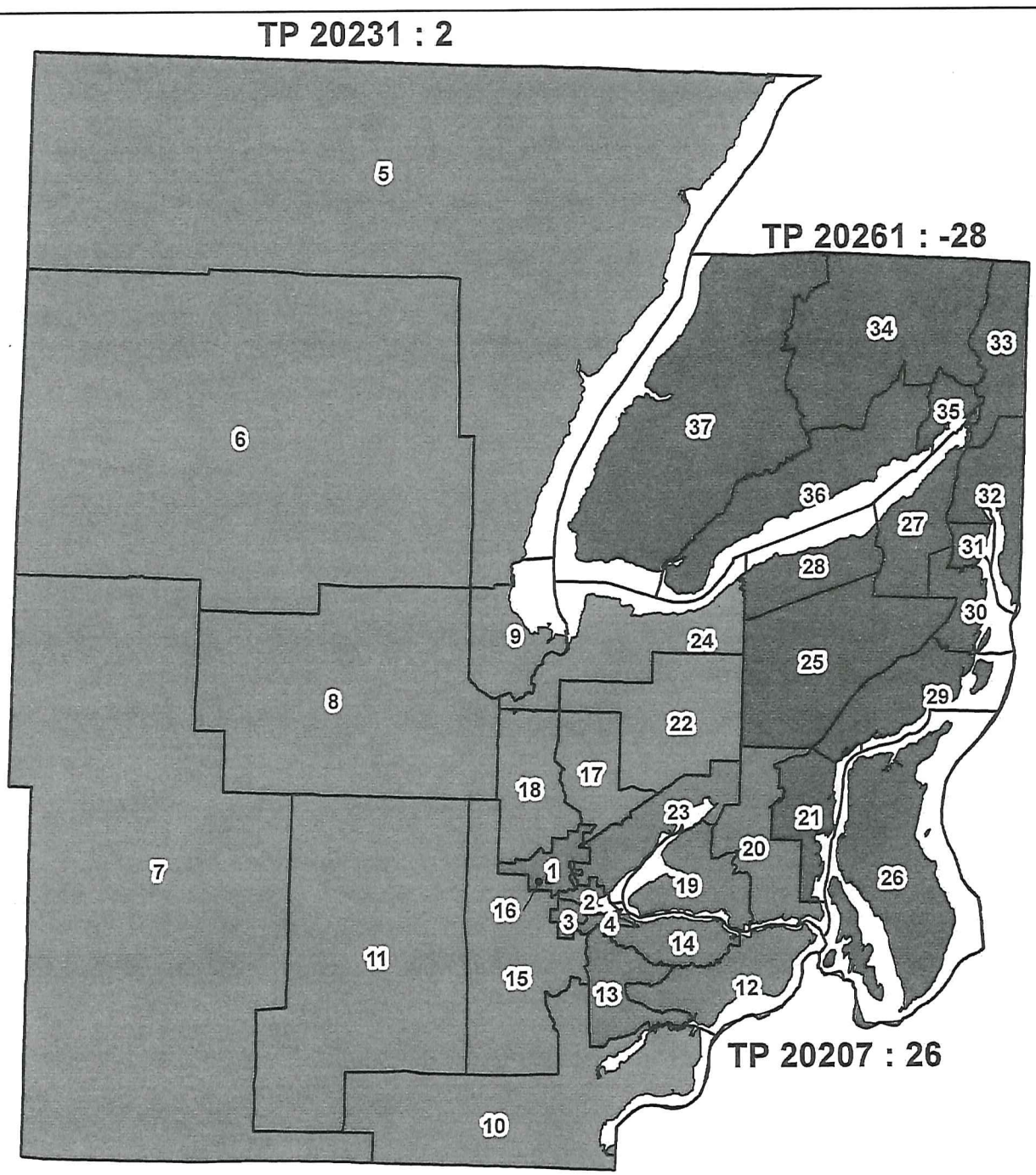
Approved as to form:

Tim Whitehead, Chief Deputy Prosecuting Attorney

Exhibit D

Exhibit D

Commissioner District and Precinct Boundaries - Option 2



Legend

- Puget Sound
- Precincts 2
- District 1
- District 2
- District 3

N

This map is intended for informational purposes only.
Mason County Elections
August 8, 2011.

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