

DRAFT BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

July 15, 2014

1. Call to Order – The Chairperson called the regular meeting to order at 9:02 a.m.
2. Pledge of Allegiance – Robert Neatherlin led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Randy Neatherlin; Commissioner District 2 – Tim Sheldon; Commissioner District 3 – Terri Jeffreys.
4. Correspondence and Organizational Business
 - 4.1 Correspondence
 - 4.1.1 Skokomish Natural Resources sent a letter of concern regarding the lack of movement on water quality initiatives in Mason County.
 - 4.1.2 Taylor Shellfish sent a letter regarding Oakland Bay Shellfish Protection District and Nonpoint Pollution Program Funding.
 - 4.1.3 The Squaxin Island Tribe sent a letter urging Mason County to fund an onsite septic system operations and maintenance program.
 - 4.1.4 Janet Kron sent a letter of protest regarding Forbidden Farms.
 - 4.1.5 Eric Schallon submitted talking points for the "Ban the Box" bill.
 - 4.1.6 Washington State Association of Counties sent a notice regarding the Fiscal Sustainability Initiative.
 - 4.1.7 Washington State Liquor Control Board sent a liquor license application for Woodshed and a marijuana license application for EZ Daze.
 - 4.2 Patricia Grover read the news release regarding Noxious Weed Control Board vacancies.
5. Open Forum for Citizen Input –
 - 5.1 Tom Davis encouraged the public to attend the July 29 Lodging Tax Advisory Board meeting to provide input on how to spend the lodging tax dollars.
6. Adoption of Agenda - **Cmmr. Sheldon/Neatherlin moved and seconded to adopt the agenda as published. Motion carried unanimously. N-aye; S-aye; J-aye.**
7. Approval of Minutes – Approval of the July 1, 2014 regular meeting minutes. **Cmmr. Neatherlin/Sheldon moved and seconded to approve the July 1, 2014 meeting minutes. Motion carried unanimously. N-aye; S-aye; J-aye.**
8. Approval of Action Agenda:
 - 8.1 Approval of the resolution to sell Mason County surplus property located at 350 E. Orchard Lane, Shelton (Parcel 32021-57-02022) to Michael and Marcia Jacobson for the amount of \$9,800. **Resolution No. 38-14 (Exhibit A)**
 - 8.2 Approval of Warrants:
Claims Clearing Fund Warrant #s 8008194-8008411 \$359,139.43
 - 8.3 Approval of the resolution to close Clifton Lane Road (Milepost 0.00 to milepost 0.200) for the annual "Taste of Hood Canal" from 6:00 a.m. to 10:00 p.m. on August 9, 2014. **Resolution No. 39-14 (Exhibit B)**
 - 8.4 Approval of the Federal Juvenile Accountability Block Grant (JABG) contract for 2014-2015 allowing Juvenile Court Services to receive federal JABG funding in the amount of \$6,100 for the fiscal year with matching funds of \$678. The funds will serve as reimbursement for the Anger Replacement Training program (ART).
 - 8.5 Approval of the Juvenile Detention Alternatives Initiative grant contract for the amount of \$30,000. There is no match required for this grant. These funds enable the county to provide staff support and alternative programming in lieu of detention.

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- 8.6 Approval of the contract for professional services between Mason County and Strengthening Foundations Counseling, LLC, to continue Functional Family Therapy (FFT) services with probation youth and families.
- 8.7 Approval to authorize Public Works to select and enter into an agreement for Environmental Services, as needed for the 2014-2015 calendar years from the Mason County Municipal Research Services Center (MRSC) consultant roster. The maximum pay-out for the agreement is not to exceed \$50,000 with authorization to extend time period if necessary. Public Works will announce the selected consultant during a regular scheduled meeting.
- 8.8 Approval for the Board to sign a letter to the U.S. Department of Transportation in support of Mason Transit Authority regarding their Community Center Ladders of Opportunity Initiative grant application.
- 8.9 Approval to enter into a contract with Pacific Security to provide security services at the Mason County Courthouse for a fee of \$32.50 per hour per armed security officer and \$21 per hour per unarmed security officer. The estimated cost for the remainder of 2014 is \$69,000. The contract approval is contingent on review and approval by legal and risk management staff.

Item 8.9 - Security Services contract. Tom Davis asked what the savings will be. Cmmr. Sheldon stated the actual number is unknown but it is at the Sheriff's request to enter into this contract due to staff shortage at the jail. This will allow corrections staff that provide security services to work in the jail.

Cmmr. Neatherlin/Sheldon moved and seconded to approve action items 8.1 through 8.9. Motion carried unanimously. N-aye; S-aye; J-aye.

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

- 9.1 Michael MacSems presented the staff report for the public hearing (first of two hearings) to consider amendments to Title 16 of the Mason Code concerning Plats and Subdivisions. Green Diamond Resource Company has submitted an application proposing two amendments to the Development Regulations. The amendment to Chapter 16.08 would revise the definition of "cluster" excepting performance subdivisions from its application; and a new section is proposed for 16.21 allowing for discretionary non-contiguous open space in performance subdivisions.

Performance subdivisions were adopted in 1996 and have been changed as part of the process to remove a Growth Management Act (GMA) moratorium.

Michael explained that a performance subdivision is a variation on a land subdivision and allows the land owner to increase density.

Questions of staff

Q - Assessor Melody Peterson asked if this will allow little developments in the middle of acreage.

A - Michael stated it does allow scattered development.

Q - Ms. Nelson - how does it work for non-contiguous open space? Michael couldn't answer.

Q - Tom Davis - as it stands right now, one criteria for performance subdivision is to have direct access to open space. Could Green Diamond develop their land with current code?

A - Michael - yes, Green Diamond could achieve their goal as the code currently is.

Cmmr. Neatherlin expressed concern that the County cannot make laws to accommodate individuals.

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Assessor Peterson stated she assumes if a development is created, the property would be removed from the Current Use taxation program.

Cmmr. Jeffreys stated performance subdivisions is a model used in urban areas

Mike Pruitt, Green Diamond, stated they don't have a project submitted at this time. Green Diamond is doing long term portfolio planning and in the process found this limitation of 32 lots in performance subdivisions. They have been working with Trust of Public Lands on conservation easements since 2011 and they want to retain a few areas for future projects. Mr. Pruitt displayed maps of their Mill Creek site project that has the potential for a 20-year build out. One map showed what would happen if developed under current code and the other map demonstrated what the proposed amendments would allow. He stated that with these amendments, it allows development that has a lighter impact on the rural areas. It would give the county a lot of flexibility.

Tamra Ingwaldson asked about opportunities to incentivize for low impact building, infrastructure, and to build green.

Mr. Pruitt stated they are working with PUD 1 to transfer water rights. This will allow larger projects that have higher building standards. They are also working with Squaxin Island Tribe on the water rights and they assured the Tribe they would use best management practices to protect water quality.

Marilyn Vogler referred to the non-contiguous open space. Is open space going to be open to general public or closed and allow only the community land owners?

Mr. Pruitt can't completely answer because they won't be the developers; they are positioning the property for future sales. In the 20,000 acres they are putting conservation easements on; they are planning to have trails open to the public. Green Diamond has applied for \$4,000,000 in federal grant money.

Assessor Peterson asked why wouldn't you just sell 5 or 10 acre lots rather than create a development.

Mr. Pruitt stated they have sold some 5 and 10 acre lots. For the area inside the Mill Creek project boundary, it is 30,000 acres of rural property and believes it is the wrong method to "junk out" the parcels and it would have a higher cost to the county and lose timber production. They would like to focus the development so they can continue to manage nearby forest land.

Connolly Watson asked if native species will have an impact.

Mr. Pruitt stated they don't have endangered species on this particular property.

Ms. Nelson asked what kind of units the project will have.

Mr. Pruitt explained the lot road frontages are 150' to 200' wide so you don't get a suburban look. Some areas in a performance subdivision can continue to be managed for timber.

Tom Davis asked if Green Diamond would lose control of the project to the developer.

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Mr. Pruitt stated Green Diamond wants to stay in control and they would co-sign for a performance subdivision and there would be a development agreement. The developer could change the lot size but they are trying to position properties for the market place.

Eric Shallon, Green Diamond, stated they are in process of entitling the property, and water is targeted for these densities.

Patricia Vandehey asked about critical areas.

Mr. Pruitt couldn't speak to that because this isn't a specific project proposal. There would be stream buffers.

Chair Jeffreys reminded the audience this hearing is about a code amendment, not a specific proposal.

Mr. Pruitt agreed that this hearing is about a code amendment, his goal in showing the Mill Creek proposal is to show what would be allowed with the 32 lot limitation and what the code amendment would allow.

Cmmr. Sheldon stated the Mill Creek proposal is an illustration of a concept.

Ms. Nelson stated she is excited to hear Green Diamond is looking ahead and working with the county to preserve the rural atmosphere.

Tom Davis asked about the original concept of contiguous open space.

Mr. MacSems stated the intent is to blend into the area it's in and have direct access to the lots and provide an amenity to the project.

Cmmr. Neatherlin asked if Green Diamond would keep the timber or would it go to the homeowners association (HOA).

Mr. Pruitt stated it would be decided through the sales contract. Green Diamond may keep one rotation of timber which would lower the value to developer and allow Green Diamond to harvest timber, when ready. It could continue to be managed by Green Diamond or go to the HOA.

Cmmr. Neatherlin asked if Green Diamond can use conservation easements.

Mr. Pruitt stated the County would have to address the reduced rural residential units in the next GMA update and would need to work with the City of Shelton.

Question was asked if it is designated forest land and has a change of use, who picks up the back taxes.

Mr. Pruitt answered when land converts from forest use, the taxes and penalties would be paid by either Green Diamond or the developer.

Cmmr. Sheldon noted the correct term is compensating taxes.

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Public Testimony

Tom Davis recognized Green Diamond for looking to the future and this is a wise decision. His hesitation is to change the code just for Green Diamond, because you change it for everyone. He believes this change would thwart the purpose of the open space land. He wants to see the right kind of development with open space preserved in perpetuity. The Commissioners need to ask, how is non-contiguous open space serving the community?

Ken VanBuskirk stated even with non-contiguous open space, all open space benefits the entire community, whether it's open to the public. Conservation easements are in perpetuity.

Patricia Vandehey stated she attended the June Planning Advisory Commission and was surprised to hear the RCW was from 1969 and needs to be changed. She asked how this complies with the GMA. She referred to RCW 36.70a.070, Comprehensive Plans Mandatory Elements and doesn't understand why this isn't being addressed.

Marilyn Vogler thanked Green Diamond. Personally prefers the cluster development that leaves open space. Urged the County to keep the community in mind when allowing rural development. Concerned with the reduction of parks funds and wants to be certain that those who live outside of HOA's have access to trails. Also concerned with public transportation and other services these developments will need and the need to balance the services for all.

Dick Settle, land use attorney with Foster Pepper Law Firm for Green Diamond, assured that this code amendment would not violate the GMA. The concern has been with rural sprawl. It has been mentioned this could be done in a piece meal fashion, which would be costly. Development agreements have to be signed that give control in the performance development. There are choices that can be made for open space and the GMA requires a variety of open space. In reference to the change of cluster definition, it's a housekeeping matter. It applies to only resource lands. The sensible solution is to clarify that it doesn't apply.

Cmmr. Jeffreys expressed her appreciation for Mr. Settle's view on this proposal and how it is a way to implement the GMA in rural areas.

Tamra Ingwaldson gave kudos to Green Diamond for this visionary look. We are approaching the 20 year review of the GMA and she supports using this proposal as a tool.

Cmmr. Sheldon/Neatherlin moved and seconded to consider staff presentation and public testimony concerning proposed amendment to Title 16 (Plats and Subdivisions) of the Mason County Code. Continue hearing, holding public testimony open, to July 22, 2014 at 6:30 p.m. Motion carried unanimously. N-aye; S-aye; J-aye.

The Board recessed for 10 minutes.

9.2 Chair Jeffreys opened the public hearing to consider an ordinance designating Residential Targeted Areas for the purpose of a Multifamily Housing Incentive Program pursuant to Chapter 84.14 RCW. Barbara Adkins was not available.

Chair Jeffreys explained that RCW 84.14 was amended providing additional affordable housing opportunities. This allows a tax incentive for multi-family housing in urban areas. In order to have the tax incentive, 20% of units must be affordable to low and medium income residents, as defined by HUD.

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Belfair and Allyn Urban Growth Area maps were displayed that show the targeted areas and must be served by sewer.

In the Allyn UGA, potential residential targeted areas are those parcels zoned Rural Recreational, Medium Density Multifamily Residential, High Density Multifamily Residential, and Residential Platted that are served by public sewer.

In the Belfair UGA, it is those parcels zoned Low Density Residential, Medium Density Residential, Multifamily Residential, Festival Retail, and Mixed Use that are served by public sewer.

There is still process that has to be worked out on the actual tax incentive.

Q - Would it allow micro housing?

A - If code allows, yes. Currently, the county doesn't have good cottage housing code.

Cmmr. Neatherlin noted this proposal has been recommended by the Planning Advisory Commission (PAC).

There was discussion if parcels are eligible if they are currently or could be served by public sewer.

Cmmr. Sheldon believes the intent of the law is to allow a developer to extend the public sewer.

Cmmr. Neatherlin referred to RCW 84.14 and it states for those areas that are served by sewer.

Cmmr. Jeffreys believes the code can be clarified to allow the sewer be extended to allow for the development because we want the development and we want the sewer expanded.

Tammy Newton, Housing Coalition Chair, understands affordable housing is lacking and supports this proposal. Talked about the term homelessness that is very broad and can mean working families that live in a variety of places. There is a very low inventory of affordable housing in Mason County and having a home has a positive impact on the community.

Patty Kleist, has served on a variety of housing boards, there is a severe lack of affordable housing in Mason County which leads to many problems. She supports this proposal and encouraged the Board do all they can do to allow for affordable housing.

Ken VanBuskirk, Belfair and PAC member, the PAC considered each UGA in detail and made separate recommendations. He asked staff why other amenities were not required, such as sidewalks. There was no public testimony at the PAC hearing. He gave the history of the Belfair UGA adoption and the Belfair sewer. He has researched the topic and stated the staff report differs from the Belfair UGA map and the light yellow areas are referred to as single family residential but should be R4.

The Belfair UGA map legend needs to be corrected to show the light yellow area is zoned as R4.

Mr. Van Buskirk stated the R10 (10 units to an acre) are to provide parcels for multi-family units and within walking distance to amenities. PAC did recommend that all zones be considered. He asked the Board to utilize the buildable lands and consider where the CARA lies and suggested that before areas are approved, other than R10, to let the Comprehensive Plan be updated. He cautioned the Board on approving these areas too quickly and to focus on the R10 zones. He is suggesting allowing only multi-family zones that are served by sewer.

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Tom Davis respectfully disagreed with Mr. VanBuskirk. Discouraged having small pockets of low income housing which he believes encourages "ghetto" areas. Would like the potential to be open and disperse the low-income housing across the UGA.

Deb Nelson stated the Shelton UGA areas are all outside the sewer so she doesn't see any opportunities in Shelton. She stressed the need for affordable housing and urged the Board to forge ahead. Steve Goins, City of Shelton, supports the county in this effort and believes there are opportunities to expand the areas and doesn't believe the map correctly reflects the sewer areas.

Marilyn Vogler acknowledged the importance of affordable housing. There is also a need for tiny homes, and she encouraged the county to work on drawing up code that allows Quixote Village type housing, they are needed in Shelton, Allyn and Belfair. There is a need to maintain existing homes and it is important to mix affordable housing and market value homes.

Discussion of code that is needed for this type of housing, such as lot size and setbacks.

Tamra Ingwaldson stated that having this flexibility in housing will be a huge asset to the community. This will allow for a welcoming environment and a healthier county population.

Cmmr. Neatherlin stated they need to clarify on whether this is for areas that already have sewer connection.

Cmmr. Sheldon stated they can continue the hearing to clarify the sewer issue and the map legend and allow the City of Shelton to review.

The hearing will be continued and public testimony will remain open.

Cmmr. Neatherlin/Sheldon moved and seconded to continue the hearing to July 22 at 6:30 p.m. and allow public testimony. Motion carried unanimously.

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

10.1 Vicki Kirkpatrick talked about the grand opening of the Crossroads Housing that provides shelter housing and low income transitional housing that opened last week.

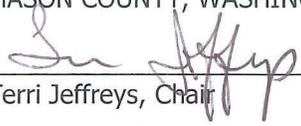
10.2 John Keates announced that this weekend is the annual WA Senior Games Senior Softball tournament at MCRA.

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 11:50 a.m.

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BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON



Terri Jeffreys, Chair



Tim Sheldon, Commissioner

ATTEST:



Clerk of the Board



Randy Neatherlin, Commissioner

DECLARATION OF SURPLUS PROPERTY AND APPROVAL OF SALE

WHEREAS, Mason County owns the real property listed and legally described in Exhibit A, Attached hereto; and

WHEREAS, certain parcels of the property are tax title property with delinquent property tax, penalties, interest and expenses owing; and

WHEREAS, other parcels were acquired for various purposes; and

WHEREAS, the Board of County Commissioners upon the recommendation of the Property Manager has determined that the property is surplus to the needs of the County; and

WHEREAS, Mason County has received an offer to purchase the property in the amount of \$9,800.00 from Michael Jacobson and Marcia Jacobson; and

WHEREAS, the Mason County Board of Commissioners, on February 11th, 2014 held a public hearing during which members of the public were able to testify before the Mason County Board of Commissioners regarding the property, the proposed declaration of surplus and sale.

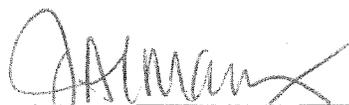
NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mason County Board of County Commissioners that the property described in Exhibit A, attached hereto, is declared surplus property and that sale of said property to Michael Jacobson and Marcia Jacobson, at a price of \$9,800.00, is approved; and

BE IT FURTHER RESOLVED, that the proceeds of the sale of said property are to be dedicated first to any delinquent property tax obligations and related penalties, expenses and assessments; and next to reimbursement of the Facilities and Parks fund for expenses of the Property Manager; and finally to the Reserve for Accrued Leave Fund; and

BE IT FURTHER RESOLVED, that the chair of the Commission is authorized to sign the related closing documents and the property manager initiate payment of 8% fee of sale price to the County's real estate agent.

DATED this 15th day of July, 2014.

ATTEST:

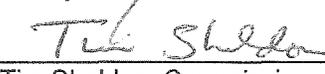

Julie Almanzor, Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Randy Neatherlin, Commissioner

APPROVED AS TO FORM:


Tim Whitehead, Deputy Prosecuting Attorney


Tim Sheldon, Commissioner


Terri Jeffreys, Chairperson

EXHIBIT A

350 E Orchard Lane, Shelton, WA 98584

32021-57-02022: SHORECREST ADD 2ND REPLAT BLK: 2 LOT: 22

Sale Price: \$9,800.00

Buyer: Michael Jacobson and Marcia Jacobson

RESOLUTION NUMBER 39-14
COUNTY ROAD CLOSURE
CLIFTON LANE - #86750

NOTICE IS HEREBY GIVEN that pursuant to RCW 47.48.010, all of Clifton Lane, County Road No. 86750, shall be closed to all through traffic on Saturday, August 9, 2014 from 6:00 am to 10:00 pm (milepost 0.00 to milepost 0.200).

NOW THEREFORE, BE IT RESOLVED, the Board of County Commissioners has declared the above described road closure a necessity for public safety during the North Mason Rotary Club event "Taste of Hood Canal."

THEREFORE, the County Engineer is hereby ordered and authorized to proceed as prescribed by law.

ADOPTED this 15 day of JULY, 2014.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON



Terri Jeffreys, Chair

ATTEST:



Julie Almanzor, Clerk of the Board



Tim Sheldon, Commissioner

APPROVED AS TO FORM:



Tim Whitehead, Chief Deputy Prosecuting Attorney



Randy Neatherlin, Commissioner

- cc: Commissioners
- Engineer
- JOURNAL: Publ. It.: _____ (Bill Road Dept.)
- POST: At Least three (3) days prior to closure.