

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

October 11, 2016

1. Call to Order – The Chairperson called the regular meeting to order at 9:06 a.m.
2. Pledge of Allegiance – Chair Jeffreys 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 The Liquor and Cannabis Board sent a marijuana license application for Mad Matts Greenery.
 - 4.1.2 Michael Gilbreath sent a petition regarding rezoning on McEwan Prairie Road.
 - 4.1.3 David Willard applied for the Historic Preservation Commission.
 - 4.1.4 Ken VanBuskirk
 - 4.2 Dave Windom read a News Release announcing Community Services Offices will be closed on October 19, 2016.
5. Open Forum for Citizen Input –
 - 5.1 Cheryl Williams announced the League of Women’s Voters meeting re: ballot initiatives. Oct 18 at Johnson Library at Olympic College.
6. Adoption of Agenda - **Cmmr. Neatherlin/Jeffreys moved and seconded to adopt the agenda as published. Motion carried unanimously. N-aye; S-Nay; J-aye.**
7. Approval of Minutes – September 19 and 26, 2016 briefing minutes.
Cmmr. Sheldon/Jeffreys moved and seconded to approve the September 19 and 26, 2016 briefing minutes. Motion carried unanimously. N-aye; S-aye; J-aye.
8. Approval of Action Agenda:
 - 8.1 Approval for the Board to authorize Equipment Rental & Revolving (ER&R) to declare the Athey Sweeper (Pickup Broom) as surplus and dispose of at Ritchie Bros. Auctioneers.
 - 8.2 Approval to set a public hearing on October 25, 2016 at 6:30 p.m. to consider Code Amendments to the Shoreline Master Program, Mason County Code 17.50 Chapter 9 (Shoreline Management) of the Comprehensive Plan, the Resource Ordinance and Title 15 and to correct codification error.
 - 8.3 Approval of the Veterans Assistance Fund applications for: Necessity Items \$200; Utilities \$66.73 and Housing \$1,000 for a total of \$1,266.73 as recommended by the Veterans Service Office.
 - 8.4 Approval of the Direct Appropriation Agreement with Washington State Department of Commerce for Belfair Wastewater System Rate Reduction, contract number CD16-96503-039. The funds will positively impact the County by reducing debt and providing rate relief for system users.
 - 8.5 Approval of the contract with Richard Beckman Realty Group, LLC for County related real estate services.
 - 8.6 Approval of the agreement with Jeffrey S. Myers of Law, Lyman, Daniel, Kammerrer & Bogdanovich, P.S. to provide legal advice and representation concerning public records requests to the Mason County Public Defender’s Office.
 - 8.7 Approval of the agreement with Charles W. Lane IV, PLL, to provide interim public defense administrator services for the amount of \$150 per hour.

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- 8.8 Approval to print and distribute a fact sheet on Proposition 1, Mason County Metropolitan Parks District (MPD).

Cmmr. Sheldon/Neatherlin moved and seconded to approve action items 8.1 through 8.7 with the removal of item 8.8 for a separate vote. Motion carried unanimously. N-aye; S-aye; J-aye.

- 8.8 Approval to print and distribute a fact sheet on Proposition 1, Mason County Metropolitan Parks District (MPD) pending PDC approval.

Chair Jeffreys said as a County they can provide informational flyers regarding this item. They would be in two Mason County publications and the cost will be just a little over \$2000. The County is not allowed to advocate but are only providing information.

Cmmr. Sheldon said there are quite a few things he thinks are dangerous in sending this out. He thinks it may be a violation and he likes to err on the side of safety. He would like to sit back and let the voters decide. He doesn't appreciate being lumped into this and wants to be careful about how to use public resources. He thinks there should be equal time for different views and approval from Public Disclosure Commission before doing this.

Cmmr. Neatherlin reiterated that this is just informative.

Questions:

Dedrick Allan confirmed that the flyers will be available electronically and free of charge as well.

Steve Andrews asked how we got here.

Cmmr. Neatherlin directed Mr. Andrews to the citizens who created this.

Cmmr. Sheldon confirmed the cost is approximately \$2069 and said he imagines the fine for doing this will be more than the cost of this. He said usually the citizens who propose something will do this type of things themselves. He urges them to think about the risk and reward. He said it's ill advised to do this.

Cmmr. Neatherlin said it's "pending approval from the PDC".

Public Testimony:

Marilyn Vogler attests to the confusion that is out there regarding the MPD issue and added there is a need for information.

Testimony closed.

Chair Jeffreys spoke about MRSC, local governments and the law.

Cmmr. Sheldon said there are too many details undermined.

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Cmmr. Neatherlin/Jeffreys moved and seconded to approve to print and distribute a fact sheet on Proposition 1, Mason County Metropolitan Parks District (MPD) pending Public Disclosure Commission (PDC) approval. Motion carried. N-aye; S-NAY; J-aye.

**Cmmr. Sheldon left the meeting at 9:50 a.m.

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

- 9.1 Public Hearing to consider the sale of Mason County surplus property located at 180 E. Peebles Court, Shelton, WA; for the amount of \$5,000 to Craig and Evalina Kenaday. Frank Pinter explained this item.

Marliyn Vogler has a concern about selling land because it could be used for other needs in the County.

Cmmr. Neatherlin/Jeffreys moved and seconded to approve the sale of Mason County surplus property located at 180 E. Peebles Court, Shelton, WA; for the amount of \$5,000 to Craig and Evalina Kenaday. Motion carried. N-aye; S-Absent; J-aye Resolution 65-16 (Exhibit A)

- 9.2 Public Hearing to consider rezoning two adjacent parcels in the rural area from Rural Industrial to Rural Commercial 5.

Kell McAboy explained this item.

There was no public testimony.

Cmmr. Neatherlin/Jeffreys moved and seconded to approve rezoning two adjacent parcels in the rural area from Rural Industrial to Rural Commercial 5. Motion carried. N-aye; S-Absent; J-aye Ordinance 66-16 (Exhibit B)

- 9.3 Public Hearing to consider rezoning (downzoning) a parcel in the rural area from Rural Commercial 1 to Rural Residential 5.

Kell McAboy explained this item.

There was no public testimony.

Cmmr. Neatherlin/Jeffreys moved and seconded to consider rezoning (downzoning) a parcel (12233-50-00009) in the rural area from Rural Commercial 1 to Rural Residential 5. Motion carried. N-aye; S-Absent; J-aye Ordinance 67-16 (Exhibit C)

- 9.4 Public Hearing to consider correcting a mapping error for a parcel mapped as Long Term Commercial Forest that is designated as In-Holding Lands (parcel number 61936-11-00040).

Kell McAboy explained this item and different types of land zones.

Cmmr. Neatherlin/Jeffreys moved and seconded to approve correcting a mapping error for a parcel mapped as Long Term Commercial Forest that is designated as In-Holding Lands (parcel number 61936-11-00040). Motion carried. N-aye; S-Absent; J-aye Ordinance 68-16 (Exhibit D)

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9.5 Public Hearing to consider a code amendment for Low Intensity Mixed Use in the Shelton Urban Growth Area. Barbara Adkins explained this item.

Cmmr. Neatherlin/Jeffreys moved and seconded to adopt a code amendment for Low Intensity Mixed Use in the Shelton Urban Growth Area. Motion carried. N-aye; S-Absent; J-aye

Public Testimony

Len Williams commented on this item. He thinks this is appropriate to stay consistent with Shelton zoning.

Marilyn Vogler commented on this item and spoke about the need of special use permits.

James Thomas spoke about the concerns of crime at self-storage facilities. He agrees with Marilyn Vogler and said he wants the Board to vote for this with special use permit requirement.

Testimony closed.

The Board asked Barbara Adkins questions about design standards and explained requirements for special use permits. Barbara described the meanings of recreational storage and self storage.

Cmmr. Neatherlin/Jeffreys moved and seconded to table this item to the October 18, 2016 at 9:30 a.m. to consider adopting a code amendment for Low Intensity Mixed Use in the Shelton Urban Growth Area. Motion carried. N-aye; S-Absent; J-aye.

10. Board's Reports and Calendars-The Commissioner reported on meetings attended the past week and announced their upcoming weekly meetings.
11. Other Business-Board's Reports and Calendars-There was no other business
12. Adjournment – The meeting adjourned at 10:50 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON



Terri Jeffreys, Chair



Tim Sheldon, Commissioner

ATTEST:



Clerk of the Board



Randy Neatherlin, Commissioner

RESOLUTION NO. 65-16

APPROVAL OF SALE OF SURPLUS PROPERTY

WHEREAS, Mason County owns the real property parcel #32127-54-00110, 180 E Peebles Court, Shelton, WA that was declared surplus by Resolution No. 18-14 at a public hearing on February 11, 2014; 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 \$5000.00 from Craig and Evalina Kenady and a public hearing was held on October 11, 2016 to consider the offer;

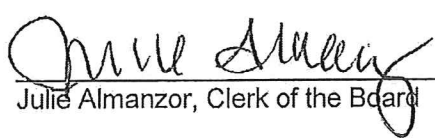
NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mason County Board of County Commissioners that the property described above (parcel #32127-54-00110) is approved at the price of \$5,000.00 to Craig and Evalina Kenady; and

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 Property Management expenses; and finally to the Current Expense Fund; and

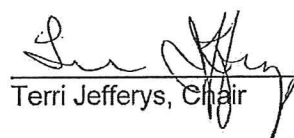
BE IT FURTHER RESOLVED, that Commissioner Neatherlin is authorized to sign the related closing documents and the Property Manager initiate payment of 6% fee of sale price to the County's real estate agent.

DATED this 11th day of October, 2016.

ATTEST:


Julie Almanzor, Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Terri Jefferys, Chair

APPROVED AS TO FORM:


Tim Whitehead, Chief DPA


Tim Sheldon, Commissioner


Randy Neatherlin, Commissioner

ORDINANCE NUMBER 06-16

AMENDMENT TO MASON COUNTY DEVELOPMENT AREAS MAP
RITLAND REZONE

ORDINANCE Mason County Development Areas Map (rezone) under the authority of RCW 36.70A.

WHEREAS, the Washington State Growth Management Act (RCW 36.70A.130) requires each county, including Mason County, to take legislative action to review and revise its comprehensive plan and development regulations to ensure that the plan and regulations continue to comply with the requirements of the Act; and

WHEREAS, the County needs to address certain requests for comprehensive plan and zoning changes to meet the goals and requirements of Chapter 36.70A RCW (Growth Management Act); and

WHEREAS, Kerry Ritland, owner of real property in Mason County known as parcels 42210-34-90010 and 42210-34-90020, has requested a zoning change of his property from Rural Industrial to Rural Commercial 5; and

WHEREAS, on August 15, 2016, the Mason County Planning Advisory Commission held a public hearing to consider the amendment and passed a motion to recommend approval of said rezone; and

WHEREAS, the Commissioners considered the requested rezone at a duly advertised public hearing on October 11, 2016; and

WHEREAS, the Board of County Commissioners took public testimony from interested parties, considered all the written and oral arguments and testimony, and considered all the comments presented; and

WHEREAS, the Board of County Commissioners also considered the Staff Report and recommendations of the Mason County Planning Advisory Commission; and

WHEREAS, the Board of County Commissioners finds that the proposed amendment to the Development Areas Map Panel 5 of 10 complies with all applicable requirements of the Growth Management Act, the Comprehensive Plan, and the Mason County Code, and that it is in the best public interest; and

BE IT HEREBY ORDAINED, the Mason County Board of Commissioners hereby approves and ADOPTS amendment to the Mason County Development Areas Map Panel 5 of 10

rezoning parcels 42210-34-90010 and 42210-34-90020 from Rural Industrial to Rural Commercial 5.

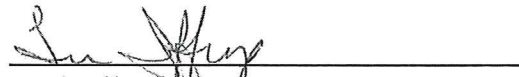
DATED this 11 day of October 2016.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:




Julie Almanzor, Clerk of the Board



Terri Jeffreys, Chair

APPROVED AS TO FORM:



Tim Whitehead, Chief DPA

Absent

Tim Sheldon, Commissioner



Randy Neatherlin, Commissioner

ORDINANCE NUMBER 67-16

AMENDMENT TO MASON COUNTY DEVELOPMENT AREAS MAP
ANCICH-SMITH REZONE

ORDINANCE Mason County Development Areas Map (rezone) under the authority of RCW 36.70A.

WHEREAS, the Washington State Growth Management Act (RCW 36.70A.130) requires each county, including Mason County, to take legislative action to review and revise its comprehensive plan and development regulations to ensure that the plan and regulations continue to comply with the requirements of the Act; and

WHEREAS, the County needs to address certain requests for comprehensive plan and zoning changes to meet the goals and requirements of Chapter 36.70A RCW (Growth Management Act); and

WHEREAS, Cheryl Ancich-Smith, owner of real property in Mason County known as parcel 12233-50-00009, has requested a zoning change of her property from Rural Commercial 1 to Rural Residential 5; and

WHEREAS, on August 15, 2016, the Mason County Planning Advisory Commission held a public hearing to consider the amendment and passed a motion to recommend approval of said rezone; and

WHEREAS, the Commissioners considered the requested rezone at a duly advertised public hearing on October 11, 2016; and

WHEREAS, the Board of County Commissioners took public testimony from interested parties, considered all the written and oral arguments and testimony, and considered all the comments presented; and

WHEREAS, the Board of County Commissioners also considered the Staff Report and recommendations of the Mason County Planning Advisory Commission; and

WHEREAS, the Board of County Commissioners finds that the proposed amendment to the Development Areas Map Panel 6 of 10 complies with all applicable requirements of the Growth Management Act, the Comprehensive Plan, and the Mason County Code, and that it is in the best public interest; and

BE IT HEREBY ORDAINED, the Mason County Board of Commissioners hereby approves and ADOPTS amendment to the Mason County Development Areas Map Panel 6 of 10 rezoning parcel 12233-50-00009 from Rural Commercial 1 to Rural Residential 5.

DATED this 11 day of October 2016.


BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:


Julie Almanzor, Clerk of the Board


Terri Jeffreys, Chair

APPROVED AS TO FORM:


Tim Whitehead, Chief DPA

Absent
Tim Sheldon, Commissioner


Randy Neatherlin, Commissioner

ORDINANCE NUMBER b8-16

**CORRECTION TO MASON COUNTY FUTURE LAND USE MAP AND
DEVELOPMENT AREAS MAP PANEL 7 OF 10 FROM LONG TERM
COMMERCIAL FOREST TO INHOLDING LANDS**

ORDINANCE Mason County Future Land Use Map and Development Areas Map (correction) under the authority of RCW 36.70A.

WHEREAS, the Washington State Growth Management Act (RCW 36.70A.130) requires each county, including Mason County, to take legislative action to review and revise its comprehensive plan and development regulations to ensure that the plan and regulations continue to comply with the requirements of the Act; and

WHEREAS, in January, 2016 the Mason County Planning Department discovered a mapping error on the Future Land Use Map and the Development Areas Map Panel 7 of 10; and

WHEREAS, the Planning Department concluded through research that parcel number 61936-11-00040 was designated and adopted as Inholding Lands for the June 2000 Comprehensive Plan document; and

WHEREAS, the same parcel was incorrectly mapped as Long Term Commercial Forest; and

WHEREAS, on August 15, 2016, the Mason County Planning Advisory Commission held a public hearings to consider the correction and passed a motion to recommend approval of said correction; and

WHEREAS, the Commissioners considered the requested correction at a duly advertised public hearing on October 11, 2016; and

WHEREAS, the Board of County Commissioners took public testimony from interested parties, considered all the written and oral arguments and testimony, and considered all the comments presented; and

WHEREAS, the Board of County Commissioners also considered the Staff Report and recommendations of the Mason County Planning Advisory Commission; and

WHEREAS, the Board of County Commissioners finds that the correction to the Future Land Use Map and the Development Areas Map Panel 7 of 10 complies with all applicable requirements of the Growth Management Act, the Comprehensive Plan, and the Mason County Code, and that it is in the best public interest; and

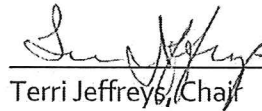
BE IT HEREBY ORDAINED, the Mason County Board of Commissioners hereby approves and ADOPTS correction to the Mason County Future Land Use map and Development Areas Map Panel 7 of 10 for parcel 61936-11-00040 from Long Term Commercial Forest to Inholding Lands.

DATED this 11 day of October 2016.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:


Julie Almanzor, Clerk of the Board


Terri Jeffrey, Chair

APPROVED AS TO FORM:

Absent
Tim Sheldon, Commissioner


Tim Whitehead, Chief DPA


Randy Neatherlin, Commissioner