

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

October 25, 2016

1. Call to Order – The Chairperson called the regular meeting to order at 6:05 p.m.
2. Pledge of Allegiance – Jan Mutter led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Randy Neatherlin; Commissioner District 2 – Tim Sheldon was absent; Commissioner District 3 – Terri Jeffreys.
4. Correspondence and Organizational Business
 - 4.1 Correspondence
 - 4.1.1 Barb Parsloe sent concerns regarding Proposition 1.
 - 4.1.2 Jim and Joan Reece, Debra Haynie, Jan Tveten, Mitch Sachs, Eric Swanstrom, John Egbert and Monica Harle sent a letters regarding the Shoreline Master Program.
 - 4.1.3 Herb Gerhardt sent correspondence regarding Item 8.9 on tonight's agenda. (Re: MDG Wastewater and Water Treatment)

Todd Beyerlein, Stephen Whitehouse, Julie Michel, Keith Groom also sent input regarding the Shoreline Master Program.

5. Open Forum for Citizen Input –
 - 5.1 Tom Davis asked when the County will get a Human Resources Director.

Cmmr. Jeffreys said the County does not have a position called HR director and there is no intent to hire one.

6. Adoption of Agenda –
Cmmr. Neatherlin/Jeffreys moved and seconded to adopt the agenda as published. Motion carried. N-aye; S-Absent; J-aye.
7. Approval of Minutes – October 3 and 10, 2016 briefing minutes; October 14, 2016 special meeting minutes and October 18, 2016 regular meeting minutes.

Cmmr. Neatherlin/Jeffreys moved and seconded to approve the Oct 3 & 10 Briefing minutes, October 14 Special meeting minutes and October 18 regular meeting minutes. Motion carried. N-aye; S-Absent; J-aye.

8. Approval of Action Agenda:
 - 8.1 Approval to set a public hearing for November 8, 2016 at 9:30 a.m. to consider the following budget supplemental requests and transfers:
Supplemental Requests:
Increase Revenues \$300,000 and expenses \$300,000 for 911 Enhanced Communication to reflect true revenue collection and payments to MACECOM.
Increase Veterans beginning fund balance \$210,000 to transfer \$50,000 to Mental Health and \$50,000 to Community Support Service. Transfer \$50,000 from Veterans beginning fund balance to Veterans Homeless Prevention.

Budget Transfers:
Transfer from Equipment Rental & Revolving Ending fund Balance the following:
\$27,666 to Public Health
\$3,336 to Law Library
\$27,989 to Treasurer's Maintenance & Operations (M&O)
\$21,003 to Solid Waste

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\$15,368 to North Bay/Case Inlet
\$3,586 to Rustlewood Sewer and Water
\$6,147 to Beard's Cove
\$5,123 to Belfair Sewer

\$1,000,000 from Garbage/Solid Waste fee charges to Long haul Solid Waste Disposal \$250,000 and \$750,000 to Landfill Ending Fund Balance.

\$245,800 from Landfill Ending Fund Balance to miscellaneous Contracted Professional Services \$78,000, Inter-fund Professional Services \$2,800 and Machinery & Equipment \$165,000.

\$50,000 from Skokomish Flood Zone Ending Fund Balance to Professional Services.

- 8.2 Approval of the Veterans Assistance Fund application for: Necessity Items \$150.00; Utilities \$188.16 and Housing \$900.00 for a total of \$1,238.16 as recommended by the Veterans Service Office.
- 8.3 Approval of the contract with Cascade Resource Management, LLC to apply herbicide(s) on seven County owned parcels of land for an amount not to exceed \$16,000. The application of the herbicide(s) will ensure the survival of the trees that were planted to replace harvested trees.
- 8.4 Approval to authorize Public Works to advertise, set bid opening date/time, award contract and allow the Chair to sign all pertinent documents for the 2017 Manufacturing and Stockpiling of Chipseal Aggregate. The contract awards will be announced at a regular Commission meeting.
- 8.5 Approval for the Board to authorize Public Works to advertise, set bid date/time, award contract and allow the Chair to sign all pertinent documents for routine Paint Line for 2017. The contract award will be announced at a regular Commission meeting.
- 8.6 Approval for the Board to authorize Public Works/Equipment Rental & Revolving to advertise, set bid opening date/time, award contract and allow the Chair to sign all pertinent documents for the call for bids to furnish Mason County with asphaltic materials. Contract award(s) will be announced at a regular Commission meeting.
- 8.7 Approval for the Board to authorize Public Works to advertise, set bid opening date/time, award contract and allow the Chair to sign all pertinent documents for call for bids to furnish Mason County with Asphalt Emulsion for 2017. Contract awards will be announced during a regular Commission meeting.
- 8.8 Approval of Amendment #2 to the Construction Contract with OSG Dozing, LLC to increase the total contract value for the construction contract for Mason County Recreation Area (MCRA) Infield Renovation Fields 6 and 7 Project. There is no additional cost impact to the County as the additional costs will be covered with the \$35,557.04 contingency funds set-aside.
- 8.9 Approval for the Board to authorize the Chair to sign and execute Amendment No. 1 for the agreement with MDG Wastewater & Water Treatment for an additional \$20,000, to continue water and wastewater management services to provide the required level 3 operator for our permit with Department of Ecology. Funding will be primarily out of the Northbay sewer fund, with exception to Rustlewood and Belfair funds for critical situations.

Cmmr. Neatherlin/Jeffreys moved and seconded to approve action items 8.1 through 8.9 with the exception of item 8.1 to be removed for a separate vote. Motion carried. N-aye; S-Absent; J-aye.

Item 8.1 Approval to set a public hearing for November 8, 2016 at 9:30 a.m. to consider the following budget supplemental requests and transfers: See item 8.1 above.
Cmmr. Jeffreys explained this item and stated this item is to set the public hearing.

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Tom Davis asked about the Veterans Transfer \$50,000 from Veterans beginning fund balance to Veterans Homeless Prevention.

Cmmr. Neatherlin reiterated that this is to set the hearing and there will be further discussion.

Cmmr. Jeffreys stated that Mental Health funds and Veterans will not be used for veterans housing.

Testimony:

Tom Davis said there is some confusion about he was hoping Mr. Pinter would be here. He doesn't want to wait to the last minute to get the details. He thought the funds would be coming from the recording fees..

Cmmr. Neatherlin/Jeffreys moved and seconded to approve action Item 8.1 setting a public hearing for November 8, 2016 at 9:30 a.m. to consider the following budget supplemental requests and transfers:

Supplemental Requests:

Increase Revenues \$300,000 and expenses \$300,000 for 911 Enhanced Communication to reflect true revenue collection and payments to MACECOM.

Increase Veterans beginning fund balance \$210,000 to transfer \$50,000 to Mental Health and \$50,000 to Community Support Service. Transfer \$50,000 from Veterans beginning fund balance to Veterans Homeless Prevention.

Budget Transfers:

Transfer from Equipment Rental & Revolving Ending fund Balance the following:

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\$245,800 from Landfill Ending Fund Balance to miscellaneous Contracted Professional Services \$78,000, Inter-fund Professional Services \$2,800 and Machinery & Equipment \$165,000.

\$50,000 from Skokomish Flood Zone Ending Fund Balance to Professional Services.

Motion carried. N-aye; S-Absent; J-aye. Resolution No. 71-16 (Exhibit A)

9. Other Business (Department Heads & Elected Officials) –

10. 6:30 p.m. Public Hearing

10.1 Public Hearing to consider a resolution authorizing Mason County to deed the 29.21 acres of Squaxin Island tidelands, parcels 22021-34-60670 and 22034-10-60620 to Squaxin Island Tribe and sign the necessary paperwork. Staff: Frank Pinter

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Cmmr. Jeffreys explained this item. This will correct a mistake from over 100 years ago.

Kevin Lyon, Legal Representative for the Squaxin Island Tribe, spoke about this item.

Cmmr. Neatherlin/Jeffreys moved and seconded to approve the resolution authorizing Mason County to deed the 29.21 acres of Squaxin Island tidelands, parcels 22021-34-60670 and 22034-10-60620 to Squaxin Island Tribe and sign the necessary paperwork. Motion carried. N-aye; S-Absent; J-aye. Resolution No. 73-16 (Exhibit B)

- 10.2 Public Hearing to consider a resolution to repeal and replace the Mason County Shoreline Master Program (Mason County Code 17.50) including the Jurisdiction and Shoreline Environmental Designation Maps and Chapter IX of the Comprehensive Plan (Shoreline Management); to amend the Resource Ordinance (Mason County code 8.52) and the Development Code (Title 15); and adopt a channel migration zone map.

Rebecca Hersha, County Planner, explained this item. This is the first hearing of two. RCW 9.58 requires all Counties to update their Shoreline Master Programs (SMP). She explained the process.

Tim Gates, Department of Ecology spoke about what this program addresses. The Shoreline Management Act requires protection of environmental values. Mr. Gates explained that after BOCC adopts a Resolution of Intent it will be formally submitted to DOE. There will be a state comment period which may seem redundant but is good for such a comprehensive update. Once everyone is in agreement, the State will inform the County. The County and the State need to agree. There are 260 programs in the state and they are working on them now.

Rick Mraz, Department of Ecology said existing uses and developments are going to be considered grandfathered. Raw land would be on a case by case basis. There are variance provisions in this program.

Rebecca Hersha stated that on lakes, a conditional use permit is required for docks.

Cmmr. Neatherlin asked what is the negative impact on homes.

Rebecca answered that there may be requirements for conditional use permits but otherwise, she doesn't see much difference in what the County already does.

Questions:

Audience members and Rebecca Hersha had a question and answer session.

Cmmr. Neatherlin read the SMP and stated a lot of it is identical and there are some things that will require special permits: for example duplex or multi-families.

Dave Windom commented on Tacoma Power. He said Tacoma Power is interested in waiting for the County to update the SMP and they would like to align with it.

Rebecca spoke about the land that Tacoma Power owns.

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Public Testimony-

Phillip Platner has property on the west side of Lake Cushman. He has concerns about a net loss of value and the cost of permits. He thinks people should be allowed to have what they have already bought without being penalized.

Bill Dewey said he is on the Planning Advisory Committee. He said it took over 3 years to get this far. He thinks all of the work has produced a good document with very few things to consider.

Jim Reece from Mason Lake commented on the proposed SMP.

Rebecca spoke about docks and moorage.

Cmmr. Neatherlin/Jeffreys moved and seconded to table this hearing until December 6, 2016 at 9:30 a.m. Motion carried. N-aye; S-Absent; J-aye.

11. Boards Reports and Calendars - The Commissioners reported on meetings attended the past week and announced their upcoming weekly meetings.

12. Adjournment – The meeting adjourned at 8:15 p.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON



Terri Jeffreys, Chair



Tim Sheldon, Commissioner

ATTEST:


Clerk of the Board

Randy Neatherlin, Commissioner

RESOLUTION NO. 71-16
2016 BUDGET

Exhibit A

BUDGET TRANSFER AND SUPPLEMENTAL APPROPRIATION - NOTICE OF HEARING

WHEREAS, by reason of conditions which could not be reasonably foreseen at the time of making the budget for the year **2016**, it is necessary to make provision for Budget Transfers to the budget as required by RCW 36.40.100, and RCW 36.40.195 for the following:

Supplemental Requests:

Increase Revenues \$300,000- and Expenses \$300,000 for 911 Enhanced Communication to reflect true revenue collection and payments to MACECOM.

Increase Veterans beginning fund balance \$210,000 to transfer \$50,000 to Mental Health and \$50,000 to Community Support Service. Transfer \$50,000 from Veterans beginning fund balance to Veterans Homeless Prevention.

Budget Transfers:

\$27,666 to Public Health
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\$15,368 to North Bay/Case Inlet
\$ 3,586 to Rustlewood Sewer & Water
\$6,147 to Beard's Cove
\$5,123 to Belfair Sewer

To Fund above from Equipment Rental & Revolving Ending Fund Balance \$110,217

\$1,000,000 from Garbage/Solid Waste Fee Charges to; Longhaul Solid Waste Disposal \$250,000 and \$750,000 to Landfill Ending Fund Balance

\$245,800 from Landfill Ending Fund Balance to Miscellaneous Contracted Professional Services \$78,000, Inter-fund Professional Services \$2,800 and Machinery & Equipment \$165,000

\$50,000 from Skokomish Flood Zone Ending Fund Balance to Professional Services

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

That the 8th day of November, 2016 at the hour of 9:30 a.m. In the Mason County Commissioners Chambers in Courthouse Building I, 411 North Fifth Street, Shelton, Washington, is hereby fixed as the time and place for a public hearing upon the matter of Budget Transfers to the 2016 Budget as follows: Equipment Rental & Revolving Ending Fund Balance – \$110,217; to Public Health \$27,666, Law Library \$3,336, Treasurer's M&O \$27,989, Solid Waste \$21,003, North Bay/Case Inlet \$15,368, Rustlewood Sewer & Water \$3,586, Beard's Cove \$6,147 and Belfair Sewer \$5,123. Budget Transfer from Garbage/Solid Waste Fee Charges to; Longhaul Solid Waste Disposal \$250,000 and Landfill Ending Fund Balance \$750,000. Budget Transfer from Landfill Ending Fund Balance \$245,800 to Miscellaneous Contracted Professional Services \$78,000, Inter-fund Professional Services \$2,800 and Machinery and Equipment \$165,000. Budget Transfer from Skokomish Flood Zone Ending Fund Balance \$50,000 to Professional Services.

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

DATED this 25th day of October, 2016.

ATTEST:


Julie Almazor, Clerk of the Board

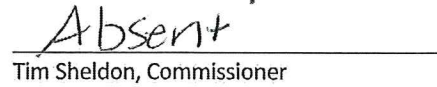
APPROVED AS TO FORM:


Tim Whitehead, Chief DPA

C: Auditor – Financial Services
Publish 2x 10/27 & 11/3 bill to
Commissioners, 411 North 5th Street, Shelton

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Terri Jeffreys, Chair


Tim Sheldon, Commissioner


Randy Neatherlin, Commissioner

RESOLUTION NO. 73-14

APPROVAL OF TRANSFER OF SQUAXIN ISLAND TIDELANDS TO SQUAXIN ISLAND TRIBE

WHEREAS, Mason County property records indicate that Mason County is the owner of approximately 29.21 acres of tidelands on Squaxin Island, parcel numbers 22021-34-60670 and 22034-10-60620; and

WHEREAS, the 1854 Treaty of Medicine Creek exclusively reserved to the Squaxin Island Tribe the entire Island Reservation, including all of its tidelands. However the State of Washington "sold" these tidelands to M.J. Cunningham and Mason County acquired these tidelands through a 1913 tax foreclosure. A federal court decision in a 1904 lawsuit known as *United States v. O'Brien* confirmed the Tribe's ownership of the tidelands. The effect of the *O'Brien* decision was to cancel the State of Washington's tideland sale contract with MJ Cunningham. However, Mason County's tax rolls continued listing the 29.21 acres of Squaxin Island tidelands as surplus lands that the County had acquired through the tax foreclosure process;

WHEREAS, the Squaxin Island Tribe has requested Mason County clear the title by correcting the record and deeding the tidelands back to the Tribe;

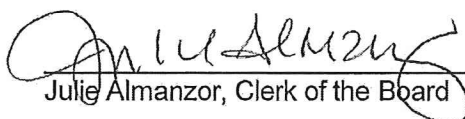
WHEREAS, the Prosecuting Attorney's office has researched the issue and the Board of County Commissioners is willing to deed these 29.21 acres of tidelands on Squaxin Island to the Squaxin Island Tribe;

WHEREAS, a public hearing was held on October 25, 2016 to consider this transaction;


NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mason County Board of County Commissioners to deed parcel numbers 22021-34-60670 and 22034-10-60620 to the Squaxin Island Tribe and authorize the Chair to sign all necessary documents.

DATED this 25th day of October 2016.

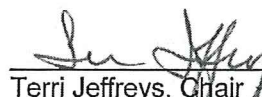
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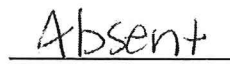

Julie Almanzor, Clerk of the Board

APPROVED AS TO FORM:


Tim Whitehead, Chief DPA

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Terri Jeffreys, Chair


Tim Sheldon, Commissioner


Randy Neatherlin, Commissioner