

ORDINANCE NO. 112-08

AN ORDINANCE creating a Lake Management District for Mason Lake pursuant to Chapters 36.61 RCW, to be designated Mason County Lake Management District No. 2 for Mason Lake.

WHEREAS, Chapter 36.61 RCW authorized the Board of Mason County Commissioners to initiate the creation of lake management districts;

WHEREAS, the Board of Mason County Commissioners found creation of a lake management district for Mason Lake to be in the public interest through adoption of Resolution 106-08; and

WHEREAS, the proposal to create the lake management district received a majority of the votes cast by property owners within the proposed district pursuant to RCW 36.61.080.100.

**NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Mason County as follows.**

Creation of District

Mason County Lake Management District No. 2 for Mason Lake, as proposed in Resolution No. 98-08 adopted on August 12, 2008, is hereby created.

Conditions for District Operation

The conditions for the operation of Lake Management District No. 2 are set forth in Resolution 106-08, Exhibit A hereto, which resolution is incorporated by reference as though set forth in full. The conditions for operation set forth in Exhibit A include the findings and determinations, with district purposes, district boundaries, duration (10 years); annual rates and charges and provision for a steering committee.

Rates and Charges - Collection

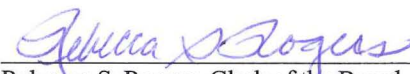
1. Rates and charges for Lake Management District No. 2 shall be included in Mason County's annual property tax statements. Properties, which do not receive a property tax statement, will receive a separate billing statement for these rates and charges.
2. The total amount of the Lake Management District No. 2 rate and charge shall be due and payable on or before the 30<sup>th</sup> day of April and shall be delinquent after that date; however, if one-half of such rate and charge is paid on or before the said 30<sup>th</sup> of April the remainder shall be due and payable on or before the 31<sup>st</sup> day of October and shall be delinquent after that date.
3. If a payment is received in conjunction with a combined property tax and Lake Management District No. 2 rate and charge, and the payment is less than the amount due, the payment shall be applied first to the annual property tax of the parcel and any remaining due amount to the Lake Management District No. 2 rate and charge.

Severability

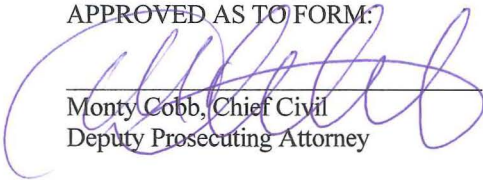
If any clause, sentence, paragraph, section, or provision of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid, the validity of the remaining provisions shall not be affected, and the Ordinance shall be construed or enforced as if it did not contain the particular provision held to be invalid.

ADOPTED this 14<sup>th</sup> day of October, 2008.

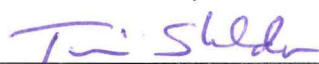
ATTEST:

  
Rebecca S. Rogers, Clerk of the Board

APPROVED AS TO FORM:

  
Monty Cobb, Chief Civil  
Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
Tim Sheldon, Chair

  
Lynda Ring-Erickson, Commissioner

  
Ross Gallagher, Commissioner

C: Auditor/Accounting  
Assessor  
Treasurer



A RESOLUTION adopting findings and determinations consistent with RCW 36.61.070 regarding the establishment of Lake Management District No. 2 for Mason Lake and submitting the establishment of Lake Management District No. 2 to a vote of property owners within the proposed district.

WHEREAS, the Board of Mason County Commissioners adopted Resolution No. 98-08 on August 12, 2008 setting out its intention to consider formation of Lake Management District No. 2 for Mason Lake (LMD No. 2); and

WHEREAS, following the adoption of the Resolution of Intention, it was determined that the Plat of Madings Orchard Beach was included in the first notification of the LMD 2 in error. Madings Orchard Beach does not have community lake access to Mason Lake and is therefore removed from the proposed boundaries; and

WHEREAS, a public hearing was held on September 9, 2008 to consider formation of LMD No. 2 and the County Commissioners heard support from persons affected by the formation of LMD No. 2 and other comments regarding the proposed work program; and

WHEREAS, a representatives from the Department of Ecology, the Department of Fish and Wildlife and Office of Financial Management had the opportunity to make presentations and comments on the proposal.

**NOW, THEREFORE, THE BOARD OF MASON COUNTY COMMISSIONERS DOES RESOLVE AS FOLLOWS:**

Section 1. The Board of County Commissioners adopts the following findings and determinations:

1. The formation of LMD No. 2 is in the public interest as evidenced by the following proposed plan (Exhibit A) of lake improvement and maintenance activities, which is approved as part of these findings. The proposed LMD will:
  - a. Manage noxious aquatic plants in Mason Lake to meet recreational and aesthetic needs, fishery and wildlife habitat requirement, and ecosystem and groundwater concerns.
  - b. Employ proven techniques based on environmental safety.
  - c. Conduct water quality monitoring as needed.
  - d. Investigate and promote the best management practices and shoreline enhancement.
  - e. Monitor for recurrence of Milfoil and Slender Arrowhead or emergence of other lake plants that could adversely impact the freshwater system and recommend prompt action to control these.
  - f. Maintain an advisory committee of neighborhood representatives to direct the efforts and funds of the LMD.
2. The financing of the lake improvement and maintenance activities is feasible since the revenues to be raised match the activities set out in the proposed plan for LMD No. 2.
3. The plan for proposed lake improvement and maintenance activities avoids adverse impacts on fish and wildlife and provides for measures to protect and enhance fish and wildlife.
4. LMD No. 2 will exist for a period of 10 years.

5. The amount to be raised through rates and charges is approximately \$35,000.00 the first year with a maximum escalation for inflation of 5% per year for the following nine years.
6. The boundaries of the District are all properties fronting Mason Lake or having community access to Mason Lake, in Mason County, Washington.
7. Annual Charge per Parcel: The proposed formula for annual rates and charges to property in 2009 is 11 cents per thousand valuation. Revenue bonds will not be issued.

Section 2. The question of whether to form Lake Management District No. 2 for Mason Lake shall be submitted to the property owners within the proposed district. The Department of Utilities & Waste Management shall prepare the ballots for submittal to the property owners. Ballots will be received by the Office of the County Commissioners, 411 N. Fifth Street, Shelton, WA 98584 no later than 5:00 pm, October 10, 2008.

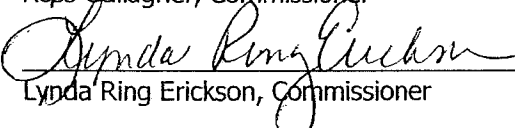
Section 3. Ballots will be available for public inspection after they have been counted.

Dated this 9<sup>th</sup> day of September, 2008.


BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
\_\_\_\_\_  
Tim Sheldon, Chair

  
\_\_\_\_\_  
Ross Gallagher, Commissioner

  
\_\_\_\_\_  
Lynda Ring Erickson, Commissioner

ATTEST:

  
\_\_\_\_\_  
Rebecca S. Rogers, Clerk of the Board

Approved as to form:

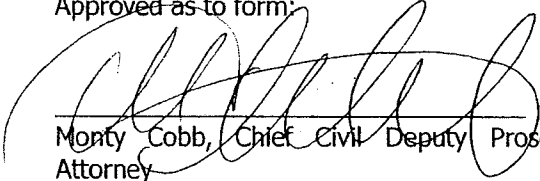
  
\_\_\_\_\_  
Monty Cobb, Chief Civil Deputy Prosecuting  
Attorney

Exhibit A  
RECEIVED  
JUL 11 2008

MASON COUNTY  
COMMISSIONERS

LAKE MANAGEMENT PLAN  
**MASON LAKE**  
**INVASIVE AQUATIC PLANT CONTROL PLAN**  
**Eurasian Water Milfoil & Slender Arrowhead**

2009 – 2019 LMD#2 PROPERTY TAX ASSESSMENT  
JULY 2008

Page 1 of 3

**BACKGROUND INFORMATION:** Reference LMD#2 Funds used from 2003 to 2008. Attached is a copy of the spreadsheet indicating our expenses for the entire 5 year period of the previous LMD#2. You should note that treatment survey costs in 2006 and 2007 were paid from grant funds received to address specific costs, i.e., an early infestation grant for Slender Arrowhead aka Sagittaria ("SAG") for the implementation of our IAVMP (filed and approved by DOE). We also obtained a grant to study and test the effects of chemical treatment of both Eurasian Water Milfoil ("EWM") and SAG using a confined enclosed area for which we designed a pyramid shaped 10 ft X 10 ft tent made of clear plastic installed (with divers) over the plants injected with chemical. These expenditures from grants resulted in not using some of the LMD funds in 2006 and 2007. Thus, we were able to have funds available for the 2008 treatment, allowing us to skip 2008 and concentrate on obtaining more accurate information (treatment results) in order to prepare a budget for the new LMD#2 for the next ten years.

**PREVIOUS TREATMENT RESULTS:** Over the last five years, we had many unsuccessful treatment results. Some were caused by DOE banning the use of pelletized herbicide that had been successful in the past; the dilution factor of the liquid herbicide that we were allowed to use did not work in Mason Lake due to the currents, springs, and temperature variances. This caused the product to dilute before the plants could ingest enough to be effective. We conducted underwater camera tests to see if we could conduct our own surveys, to reduce diver costs. We developed the "pyramid tent" which was successful, but very labor intensive to deploy, although reducing greatly the amount of herbicide needed. During this period of time, the EWM continued to spread. Though we had some success, the plant was spreading faster than we could control. Now that we find the flaked herbicide working well, we are extremely encouraged that we will be able to gain ground on the plant attaining a level of control that will both reduce our costs, and reduce the amount of herbicide use in Mason Lake.

**PROCESS:** The treatment process consists of the spring survey to determine the area of infestation, the treatment (herbicide and barrier), spot surveys to check on success and the final survey in the fall. Barrier treatment consists of divers placing landscape fabric underwater over the plants and leaving it down for two years, then removing it. Diving to hand-pull individual plants is an on-going method to get spot locations.

**The following will show the expected annual cost to control Eurasian Water Milfoil (EWM) & Slender Arrowhead (SAG) (1).**

**CURRENT FUNDS ON HAND AT END OF LMD#2 DECEMBER 31, 2007 (No LMD#2 funds are being collected in 2008)**

• Donations	\$9,000
• Grants	\$55,700
• LMD#2 Tax Receipts	\$30,300
TOTALS	\$95,000

**CURRENT OBLIGATIONS (2)**

• Survey(s)	\$4,000
• Treatment	\$22,900
• Barrier Work	\$12,000 estimated using \$0.50/sq ft as per contract
TOTALS	\$38,900

**BALANCE AVAILABLE FOR 2008**

\$56,100

**ESTIMATED 2008 EXPENDITURES**

• Main Survey	\$3,500
• Spot Survey post treatment	\$500
• Treatment 27.3 acres	\$23,600 assumes 3% inflation
• Barrier Work	\$12,000 same as 2007 square footage area
• Balloting Expense	\$3,000
TOTALS	\$42,600 (3 & 4)

**ESTIMATED 2009 EXPENDITURES**

• Main Survey	\$3,500
• Spot Survey post treatment	\$500
• Treatment 27.3 acres	\$23,600 assumes 3% inflation
• Barrier Work	\$12,000 same as 2007 square footage area
• Final Survey	\$3,000
TOTALS	\$42,600 (3 & 4)

**See next page for additional explanation references (1,2,3 &4)**

**Additional Explanations:**

- (1) In addition to EWM and SAG, there are 2 additional plants found thriving in Mason Lake, which we are not yet addressing, but may need to in the future (Bladder Wart and Water Iris).**
  - (2) Our contractor is AquaTechnex. We have paid them for services rendered; however, all services were not completed within 2007, but will be completed in the first half of 2008. Thus, these expenses will be paid from the 2007 budgeted amounts.**
  - (3) 2009 and 2010 expenses are expected to mirror 2008, however with success of continued use of the flaked herbicide we expect the cost of treatment (area to be treated with herbicide) will be reduced in 2011 thru 2019, therefore spreading the annual budgeted amount of \$35,000 over to cover costs over the planned ten year period. We also have grant funds to draw from covering some of these costs in 2008, 2009, and 2010.**
  - (4) It is expected that with the above mention (item 3) reduction in the amount of herbicide treatment required we would have funds available for treatment of the two new plants, or others that we find in the future.**
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Monthly Income and Expenses								
1/1/2003 Through 7/9/2008								
	1/1/2003 - 12/31/2003	1/1/2004 - 12/31/2004	1/1/2005 - 12/31/2005	1/1/2006 - 12/31/2006	1/1/2007 - 12/31/2007	1/1/2008 - 7/9/2008	Total	
<b>Subcategory</b>								
<b>Income</b>								
Property Tax Income - Unassigned	\$ 11,776.49	\$ 12,075.93	\$13,353.75	\$ 14,295.10	\$15,609.30	\$ 256.82	\$ 67,367.39	
<b>Total Income</b>	<b>\$ 11,776.49</b>	<b>\$ 12,075.93</b>	<b>\$13,353.75</b>	<b>\$ 14,295.10</b>	<b>\$15,609.30</b>	<b>\$ 256.82</b>	<b>\$ 67,367.39</b>	
<b>Expenses</b>								
Services : Water testing			\$ 245.00				\$ 245.00	
Services : Supplies mailing notice					\$ 437.04		\$ 437.04	
Services : Supplies	\$ 419.17	\$ 22.95	\$ 356.04	\$ 147.46			\$ 945.62	
Services : Plant Education Class		\$ 455.00					\$ 455.00	
Services : Dive mission	\$ 400.20	\$ 295.50					\$ 695.70	
Services : Administrative-tax collection	\$ 120.00	\$ 120.01	\$ 132.30	\$ 138.93	\$ 145.87		\$ 657.11	Treasurer
Services : Administrative	\$ 360.00	\$ 720.00	\$ 416.03	\$ 417.00	\$ 464.00		\$ 2,377.03	County
AquaTechnex : treatment	\$ 4,200.35		\$ 6,081.51		\$22,900.25		\$33,182.11	
AquaTechnex : survey & Treatment	\$ 4,260.59	\$ 8,840.50	\$ 4,544.87				\$17,645.96	
AquaTechnex : survey & handpull			\$ 552.33				\$ 552.33	
AquaTechnex : permit				\$ 879.50			\$ 879.50	
AquaTechnex : dive mission			\$ 129.96		\$ 541.50		\$ 671.46	
<b>Total Expenses</b>	<b>\$ 9,760.31</b>	<b>\$ 10,453.96</b>	<b>\$12,458.04</b>	<b>\$ 1,582.89</b>	<b>\$24,488.66</b>		<b>\$ 58,743.86</b>	
<b>Income less Expenses</b>	<b>2,016.18</b>	<b>1,621.97</b>	<b>895.71</b>	<b>12,712.21</b>	<b>-8,879.36</b>	<b>256.82</b>	<b>8,623.53</b>	