

SHELTON-MASON COUNTY Journal

Thursday, Jan. 9, 2020

The Voice of Mason County Since 1886 - Vol. 134, No. 2

\$1.50

Daring escape from county courthouse

Man remains at large after eluding authorities

By Michael Heinbach
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Donald Franklin Hartwell Jr. was still on the loose Wednesday morning, a day after a daring escape from custody of Mason County Jail by running away unrestrained from a second-story courtroom of Mason County Superior Courthouse in downtown Shelton.

Late Tuesday afternoon, Ryan Spurling, Mason County Sheriff's Office chief criminal deputy of patrol operations, told the *Shelton-Mason*

County Journal that law enforcement called off the active search for the 38-year-old lifelong Mason County resident after a Sheriff's Office K-9 track was unsuccessful.

"We're in the process of getting warrants and moving forward with sending out the BOLO (be on the lookout for) alert to neighboring county agencies and our other law enforcement partners around the area," Spurling said. "That's how we're moving forward, but I don't have anything more to report right now."



Hartwell

He was wanted on two \$50,000 warrants for escape from custody issued Tuesday by Judge Amber Finlay.

Hartwell was initially scheduled to appear at an identification hearing Monday afternoon in Mason County

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Spurling said Wednesday morning that though the Sheriff's Office was still following leads, Hartwell remained at



Deputy Heather Prigger and Mason County Sheriff's Office K-9 Ryder track escaped Mason County Jail inmate Donald Franklin Hartwell Jr. late Tuesday morning on West Birch Street between North Fourth and North Fifth streets in downtown Shelton. Hartwell fled from Mason County Superior Court and remained at large as of Wednesday morning. *Journal photo by Michael Heinbach*

BIG CHANGES AT CITY HALL



Shelton City Council members, from left, Kathy McDowell, James Boad and Deidre Peterson are sworn in Tuesday evening for new four-year terms on the council. *Journal photo by Gordon Weeks*

New mayor, new council

Rogers resigns; Dorcy selected as new city council takes shape

By Gordon Weeks
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Shelton Mayor Bob Rogers has resigned his post, telling the city he needs to devote time to his family following a traffic incident that injured his son.



Rogers



Dorcy

The Shelton City Council on Tuesday evening voted 4-2 to make council member Kevin Dorcy the town's new mayor.

Council member Deidre Peterson was re-elected deputy mayor.

Rogers, who was mayor for more than a year and a half, announced his resignation to the city in a letter that was read aloud at Tuesday's meeting. In the letter, he explained that his son was recently in an accident while assisting other drivers near Hoquiam and he needs "to fully support my family during his recovery."

"I would like to take this

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County approves Urban Growth Area expansion

Move paves the way for possible industrial center near airport

By Michael Heinbach
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A little more than two years after the City of Shelton laid the groundwork for future commercial and industrial development off of West Dayton Airport Road, the Board of Mason County Commissioners gave its OK to move the potential project forward.

In December 2017, the city adopted its comprehensive plan, which recommended approval of a 600-acre expansion of the Shelton Urban Growth Area (UGA) off West Dayton Airport Road. Expansion of the UGA included a rectangular plot of land west of the northernmost portion of Sanderson Field, which requires the area to be rezoned for general commercial and industrial use, only possible following approval by Mason County. Following a public hearing to consider the UGA expansion adoption during Tuesday's first BOCC meeting of the year, Mason County commissioners approved it, making possible Shelton's vision of a future Dayton Airport Road Commercial Industrial Center.

"This is probably the largest piece of undeveloped land available in the county for industrial and commercial use," Kell Rowen, Mason County Planning manager, told the *Shelton-Mason County Journal* late last week. Rowen added that the two-year wait between the city's approval and final approval by the county was hindered by employee turnover in Mason County's Planning Department.

Jason Dose, City of Shelton senior planner, told the *Journal* on Tuesday morning the city

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Escape: Man 'busted' past a jail deputy in three steps

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Superior Court after he was arrested during the weekend on warrants for failure to appear late last year in court in two separate 2019 Mason County criminal cases. But Mason County Jail Chief Kevin Hanson told the *Journal* that Hartwell refused to be taken to court Monday, and corrections staff didn't want to use force to press the issue. Finlay gave approval to postpone the hearing to Tuesday.

After corrections deputies brought Hartwell from the next-door jail to the second floor main courtroom of the courthouse, Hartwell's case was called at about 11:10 a.m. According to eyewitnesses, Hartwell was instructed to walk from the jury box to the defendant's table to proceed with the hearing.

Shelton general practice attorney Henry A. Warren, who was in the courtroom at the time, told the *Journal* that instead of proceeding to the defendant's table, Hartwell left his orange jail-issued sandals in the jury box and bolted past corrections staff out the courtroom door. Spurling confirmed Warren's account.

"They called him and he turned, took his slippers off and he busted out right past a jail deputy in three steps," Spurling said.

Courthouse security told the *Journal* that Hartwell then leapt down a flight of stairs and landed in the lobby of the courthouse before escaping the reach of security workers. Hartwell reportedly bolted out the door and ran

north from the 400 block of North Fourth Street.

Spurling said authorities were initially dispatched at 11:13 a.m. to a "physical altercation" at the courthouse, and upon arrival witnesses said Hartwell ran north of West Alder Street. Soon, Shelton Police and Sheriff's Office personnel created a one-block perimeter from Laurel to West Birch streets to the north and south between North Fourth and North Fifth streets. Sheriff's Office K-9 Ryder with Deputy Heather Prigger led authorities to focus their search on the Collier Building at 422 W. Birch St.

"They (Prigger and Ryder) arrived and started the track up to and through the building, where (Ryder's) interest peaked," Spurling said. "We

don't know if (Hartwell) ran in there and ran through."

After law enforcement searched the building for Hartwell without success, the dog led Prigger and Cpl. Tim Ripp northwest to the closed off-trails in the wooded area northwest of the Shelton Timberland Library on the corner of West Alder and North Seventh streets. But the K-9 track came up empty, and Hartwell continued to elude authorities through the remainder of the day and into Wednesday.

Authorities charged Hartwell last year in Mason County with residential burglary, second-degree burglary and theft of a motor vehicle via a Feb. 15 arrest, and second-degree theft from an early November arrest. Hartwell is also on warrant status in

Thurston County for failure to appear in court for trial confirmation in a first-degree trafficking of stolen property case.

Hartwell appeared Tuesday in Mason County Superior Court without handcuffs or shackles. Mason County began seeing detainees unrestrained during the summer, after the state's 9th Circuit Court ruled in 2018 that having inmates appear in court restrained is a violation of the defendant's constitutional rights. In its ruling concerning a Clallam County case, the court wrote that "unless some compelling necessity demands the restraint of a prisoner to secure the safety of others and his own custody, the binding of the prisoner in irons (in the courtroom) is a plain violation of the constitutional guaranty."

City: Members McDowell, Boad, Peterson sworn in

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opportunity to thank everyone who have been supportive during my time on the council," Rogers wrote. "I would especially like to acknowledge former Mayor Gary Crounce, who helped me in my new role. I will miss working with him as well as my fellow council members. They have been a great team through a challenging transition at the city. I deeply appreciate their dedi-

cation to our city and its residents."

He added, "Finally, I would like to thank the residents of Shelton for their trust and support, I have gained many new acquaintances and friends over the past two years, something I am grateful to have that opportunity to do. We have a wonderful city which I have the privilege to call home."

The new mayor is a Shelton native and owner of Urraco Coffee Co., located a block from city hall. Dorcy was va-

cautioning in Hawaii, and participated in Tuesday's meeting via a conference call.

In the process to choose a new mayor, Peterson nominated Dorcy for the post, and council member Kathy McDowell nominated Eric Onisko. Due to technical difficulties with the conference call, Dorcy didn't hear the proceedings until it came time for him to cast the final vote.

"Who's been nominated?" he asked,

causing people in the audience to chuckle. When he was informed he was a nominee, Dorcy replied, "I'll vote for myself." With that vote, Dorcy won 4-2.

When it came time to choose a deputy mayor, Dorcy nominated Peterson, and Onisko nominated council member Joe Schmit. "I respectfully decline," Schmit said.

The council will select someone to replace Rogers.

Expansion: Area near airport 'primed for development'

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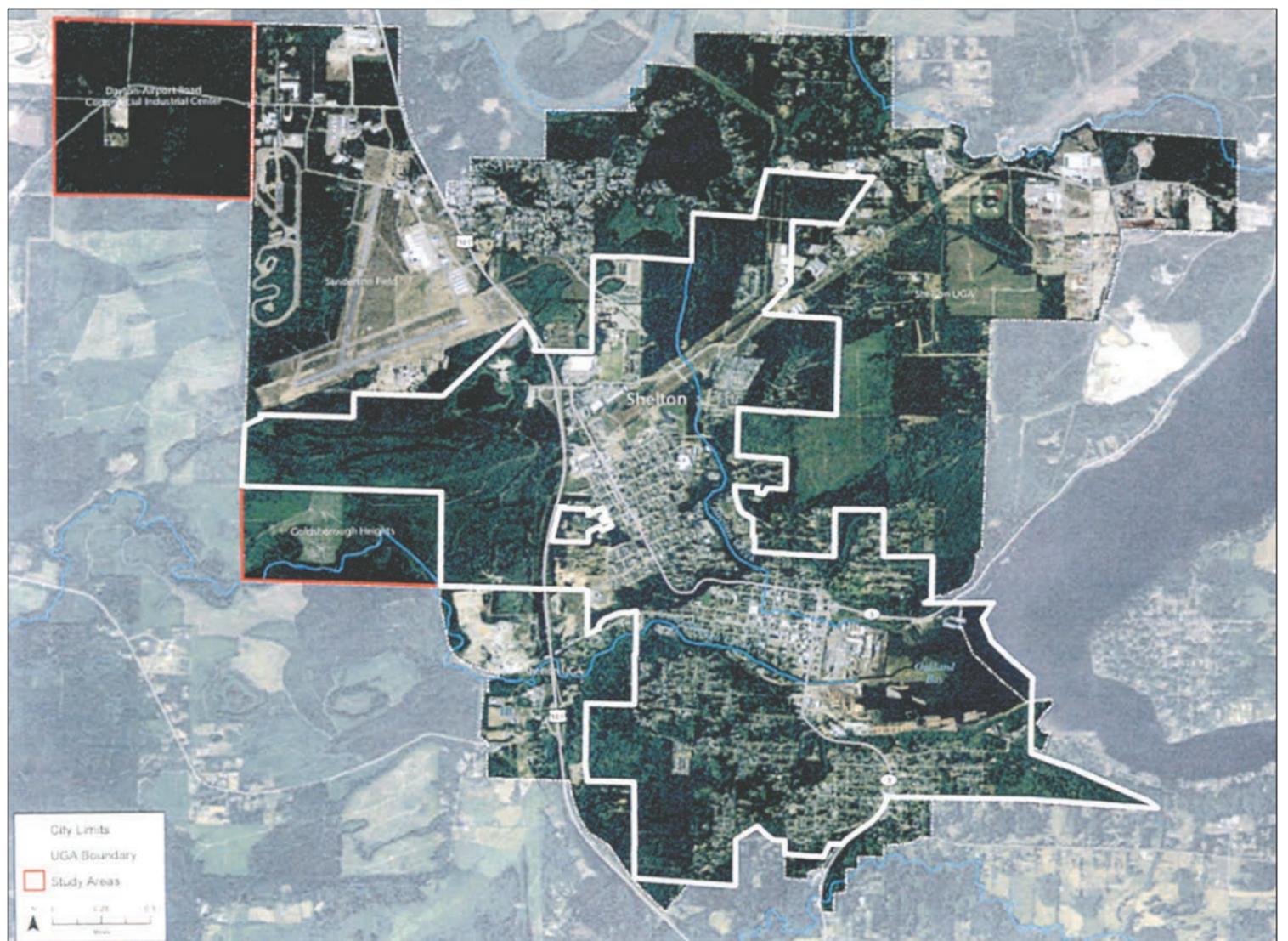
remained on board with the plan to expand the UGA to include a future Dayton Airport Road commercial industrial hub. Dose also confirmed the city still stood by its 2016 target growth of 9,600 new residents in the city by 2036.

The Mason County Planning Advisory Commission recommended approving the Shelton UGA change following a public hearing during its November meeting.

Prior to approving the Shelton UGA expansion, county District 1 Commissioner Kevin Shutty stated during the hearing that the land in question is in an economic opportunity zone, ripe for industrial and commercial development.

"This is an area that is primed for development, unless we don't do anything," Shutty said. "Then we won't experience the kind of economic growth that we need, especially in the areas where it's intended. And this is an area where it's intended. ... This makes sense from a planning perspective and from an economic development perspective as well."

According to City of Shelton documents, establishing the area as a commercial industrial center makes available properties for purchase by companies seeking to establish large industrial or commercial facilities, with possible new nearby restaurants, motels and shops supporting the center's employees and visitors.



The upper-right portion of this image within two orange rectangles is the future site of the Dayton Airport Road Commercial Industrial Area. Map courtesy of Mason County

When Shelton officials approved the city's Comprehensive Plan in December 2017, Dose estimated if the future West Dayton Airport Road is completely developed, the city

would need to make up to an estimated \$65 million in road and transportation improvements to meet the needs of increased traffic and population growth.

Also included in the City of Shelton's Comprehensive Plan was a proposed UGA expansion to include a proposed 325-acre Goldsborough Heights residential area.

That option remains on the table should a developer show interest, but was not included in consideration Tuesday for Mason County's final approval.