

**MEETING MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
January 12, 2010**

**Tuesday, January 12, 2010 - Legislative Hearing Room, 55 Second Street, Friday Harbor, WA**

**10: 00 AM      REGULAR MEETING, CALL TO ORDER**

Chair Richard Fralick called the regular meeting to order at 10:00 a.m. and the flag salute was conducted. Council Members Rich Peterson, Howard (Howie) Rosenfeld, Gene Knapp, Bob Myhr, Lovel Pratt were present; County Administrator, Pete Rose; Clerk to the Council, Ingrid Gabriel; Deputy Clerk, Maureen See; and interested members of the public were present.

Mr. Fralick acknowledged Rich Peterson's past year as Chair of the County Council. A gift and a card were offered with thanks and appreciation.

**CITIZENS' ACCESS TIME:**

**David Dehlendorf** expressed his concern over the proposed mandatory curb side trash pick up.

**10:09 AM      CLERK UPDATE & COUNCIL ADMINISTRATIVE MATTERS:** Ingrid Gabriel, Clerk; and Maureen See, Deputy Clerk.

Mr. Rose announced that a Resolution would be introduced today for a Declaration of Substantial Need for Purposes of setting the Limit Factor for the Inactive Property Tax Levy for the Current Expense for 2010. Mr. Fralick stated that the Travel Policy discussion will be removed from today's agenda and replaced with the Resolution discussion.

Ms. Gabriel asked the Council to review the Annual Calendar for any changes.

Ms. See reported on the following **advisory committee vacancies**:

Lopez Island Library Board of Trustees has one vacancy and one request for reappointment. The following action took place:

**Moved by Mr. Myhr, seconded by Mr. Knapp, to appoint Ilene Unruh to complete the unexpired term of Bill Evans, and to appoint Penelope Gilde to the Lopez Island Library Board of Trustees.**

**All Ayes**

Lodging Tax Advisory Committee (LTAC) has four contributor vacancies, and one receiver. The following action took place:

**Moved by Mr. Peterson, seconded by Mr. Myhr to reappoint Brent Snow, Susan Fletcher, and Carl Silvernail to the Lodging Tax Advisory Committee.**

**All Ayes**

Lopez Village Planning Review Committee has one vacancy. The following action took place:

**Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to appoint Bill Diller to the Lopez Village Planning Review Committee.**

**All Ayes**

Planning Commission has one vacancy, Lopez/Blakely Island. The following action took place:

**Moved by Mr. Myhr, seconded by Gene Knapp, to reappoint Stephen Adams to the Planning Commission.**

**All Ayes**

The Veterans' Advisory Committee has four vacancies. The following action took place:

**Moved by Mr. Myhr, seconded by Mr. Peterson, to reappoint Brent Johnson, Jack Cory, and Robert Cook to the Veterans' Advisory Committee.**

**All Ayes**

Review and Approve **Minutes**:

**Moved by Mr. Peterson, seconded by Mr. Myhr, to approve the Minutes of December 15, 2009.**

**All Ayes**

**Moved by Mr. Peterson, seconded by Mr. Knapp, to approve the Minutes of January 5, 2010.**

**All Ayes**

Review and Approve Agendas and **Consent Agenda**:

Mr. Rosenfeld asked for agenda time on February 8 or 9 to review recommendations on the Solid Waste rates before finalizing approval.

Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to approve the Consent Agenda of January 12, 2010 as follows:

**A. Resolutions:**

1. Deed of Right to Recreational Conservation Office for Judd Cove Funding – Lincoln Bormann, Land Bank Director
2. A Resolution Adopting Title VI Certification for the Orca Island Food Bank Community Development Block Grant

**Ordinances:**

**B. Contracts/Agreements:**

**C. Budget Items:**

Approve 2010 Warrants signed by Auditor and County Administrator:

- Warrant #73467 in the amount of \$1,522 for Veteran's Assistance
- Warrants#73476-73479 in the amount of \$672.99 for Veteran's Assistance
- Warrants #73480-73551 in the amount of \$36,180.73 for County Claims
- Warrants #73552-73587 in the amount of \$41,634.77 for Public Works
- Warrants #73588-73599 in the amount of \$28,759.91 for County Claims
- Warrants #73600-73604 in the amount of \$27,946.22 for Public Works
- Warrant #200,437.35 in the amount of \$200,437.35 for Land Bank

**D. Personnel:**

**E. Appointments**

**F. Correspondence:**

**G. Miscellaneous:**

**H. Bid Openings:**

**All ayes.**

**10:30 AM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:**

**Ferries/FAC/Intermodal:** Mr. Rosenfeld gave an update on the draft spring schedule, and the Washington State Ferry Reservation Study. The Ferry Advisory Committee (FAC) is trying to determine how much participation is involved in the initiation of the new system. Mr. Fralick asked for an executive summary of the new reservation system for the Council. Mr. Rosenfeld asked the Council if they wanted the FAC to continue its presence in the reservation implementation process, as it will be a big change for San Juan County. The Council indicated that it wanted the FAC to stay involved in the preparation of a reservation system. He also reported on the possibility of a fuel surcharge.

**Budget Subcommittee:** Mr. Fralick explained that interviews with elected officials and department heads continue, and recommendations to the Council will be forthcoming.

**Legislative Priorities & Lobbying Efforts: (hold till later)**

**General Government Subcommittee:** Mr. Knapp reported that Mr. Gaylord will soon be available to resume meeting. Mr. Knapp also reported that U.S. News and World Report, in listing the best high schools in the nation, ranked Orcas High School as one of the best. The Council agreed to send a letter of congratulations and thanks for their efforts.

**10:45 AM Public Hearing:** Revise Trump Island Open Space Public Benefit Rating, Permit No. 152042991 (Philip and Peggy Yeager) - Julie Thompson, Associate Planner; Present: Council Members Chair Richard Fralick, Vice Chair Lovel Pratt, Rich Peterson, Howard Rosenfeld, Gene Knapp, Bob Myhr; Pete Rose, County Administrator; Ingrid Gabriel, Clerk to the Council; Maureen, Deputy Clerk; Julie Thompson, Associate Planner; including staff and interested members of the public.

Julie Thompson introduced the application for open space by Philip and Peggy Yeager and provided background information. Discussion followed. Public Testimony was opened and the following was submitted:

Sharon Kivisto expressed her concerns regarding the benefit rating system, and how it impacts public access for San Juan County groups.

Public Testimony was closed with the right to reopen. Deliberations began, and Mr. Rosenfeld asked to schedule future agenda time to discuss the broader aspects of the benefit point system. The following action took place:

**Moved by Mr. Myhr, seconded by Mr. Peterson, to approve Permit No. 91OS003R, Tax Parcel No. 152042001, Philip and Peggy Yeager, to revise their open space agreement.**

**All Ayes**

**10:57 AM Discussion:** Proposed Addendum letter in Response to NOAA's Proposed No-Go Zone

Jonathan White, Marine Resources Committee (MRC), proposed, for the Council's approval, an cover letter to Mr. Barry Thom, Acting Regional Administrator, National Marine Fisheries Service, to accompany the MRC report regarding NOAA's proposed regulations. Discussion followed that included: MRC recommendations, Council's intentions in their response letter, and amendments to the proposed cover letter. Following several failed motions, the following action took place:

**Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve the cover letter with revisions to the third paragraph.**

**All Ayes**

**11:30 AM COUNTY ADMINISTRATOR ITEMS:**

1. Adopting Pay and Staffing Plan 2010 - Pamela Morais, Human Resources Manager

Mr. Rose introduced a Resolution intended to provide a document that collates the staffing, pay and benefit levels for year 2010, as well as identify the Council, administration and union roles in changing them. Word changes were made to pages two and three of the Resolution.

After discussion, the following action was taken:

**Mr. Peterson moved, seconded by Mr. Rosenfeld, to approve the Resolution Adopting County Staffing Levels for 2010, the 2010 Public Works Organization Chart, the 2010 Pay Plan as Approved in the Collective Bargaining Agreements, the 2010 Pay Plan for Unrepresented and Management Employees, and the 2010 Health Benefit Levels for Full Time and Part Time Employee Groups, as amended.**

**All Ayes**

2. Travel Policy - Milene Henley, Auditor (postponed)

**11:50 AM Recess**

**12:00 PM      JOINT COUNCIL/TOWN OF FRIDAY HARBOR QUARTERLY MEETING-** Present: Town of Friday Harbor/San Juan County Council - Town Members: Mayor Carrie Lacher; Council: Anna Maria deFreitas, Carrie Brooks, Noel Monin, Felix Menjivar, Steve Husheback; Town Administrator King Fitch, Town Clerk Amy Taylor; County Council Members: Chair Richard Fralick, Vice Chair Lovel Pratt, Rich Peterson, Gene Knapp, Bob Myhr, Howard Rosenfeld; County Administrator Pete Rose; Clerk to the Council Ingrid Gabriel; Deputy Clerk Maureen See, and interested members of the Public.

Chair Fralick congratulated new Mayor Carrie Lacher, who presided over the special meeting. Mayor Lacher called the meeting to order, and led the flag salute. Town Council roll call was taken by Clerk Amy Taylor.

Mayor Lacher requested that the County Council extend the determination period regarding funding strategy and rate structure for the SJI Transfer Station in order to give Town staff and the Town Council the opportunity to become familiar with this proposal and enter into any necessary negotiations.

### **1. Update - Turn Point Connector Road Status and Progress**

John VanLund, County Engineer, and Rachel Dietzman, Sr. Project Engineer, provided reference materials, described the conceptual design and answered questions. Discussion followed regarding the funding of the project and steps that will ensure the project remains a priority for the County. Mayor Lacher stressed the Town's support to keep the project going forward.

### **2. Establishment of Joint County/Town Housing Authority**

Chair Richard Fralick introduced the discussion regarding consideration of a joint Town/County Housing Authority. Mr. Fralick explained the initial steps in the formation of a Housing Authority as follows: 1) Consensus by the Town and County Councils to investigate the issue; 2) Refer to the Housing Bank Commission to develop a plan; 3) Refer to the Joint Planning Policy Group for review; and 4) Review of all material by Town and County Councils for final consideration. Discussion followed. Mayor Lacher slated the issue as a future agenda item.

### **3. Development of partnership and educational campaign regarding storm water issues and the City of Victoria, BC and Puget Sound Partnership**

Town Council Member deFreitas described a recent excursion to the City of Victoria, BC, and expressed interest in engaging Victoria in a partnership and educational campaign regarding storm water issues. Discussion followed regarding Victoria's sewerage system and bringing the issue to the attention of Islands Trust.

### **4. Update - Proposed regulations for the protection of Orca whales**

Town Council Member Brooks thanked the County for its input to the National Oceanic and Atmospheric Administration (NOAA) regarding the proposed No Go Zone. Ms. Brooks requested that the County's response be forward to Phillip Anderson, Director of WA State Department of Fish and Wildlife.

Mr. Rosenfeld reported on Washington State Department of Transportation, Ferries Division, Final Vehicle Reservation System Predesign Study, published on January 11, 2010. He advised Town Council on the work of the County's Ferry Advisory Committee, in particular the need for the reservation system to be phased in. He asked the Mayor be designated to work with the Committee to influence the implementation of the system.

**12:44 PM      Joint County Council/Town of Friday Harbor Quarterly Meeting Adjourned**

**1:48 AM      Reconvene**

Mr. Rose opened the discussion with an explanation of the Resolution Making a Declaration of Substantial Need. After discussion, the following action took place:

**Moved by Mr. Peterson, seconded by Mr. Myhr, to approve a Resolution of the San Juan County Council Making a Declaration of Substantial Need for Purposes of the Setting the Limit Factor for the Inactive Property Tax Levy for Current Expenses for 2010.**

**All Ayes**

**2:00 PM**      **DISCUSSION:** Solid Waste Funding - Jon Shannon, Director Public Works; Steve Alexander, Solid Waste Manager; Ed Hale, Utility Manager

The discussion continued from January 5 and included: a summary comparison of rate alternatives, small and large definitions, Town Capital fees, and Hybrid descriptions. Public Comment was received from David Dehlendorf, King Fitch, and Sharon Kivisto.

It was agreed that a workshop would be scheduled on January 19 to continue the discussion of solid waste rates, and the funding model.

**4:14 PM**      **COUNTY COUNCIL LEGISLATIVE PRIORITIES**

Discussion about Capron Funds was held, and Ms. Pratt reported that Senator Ranker suggested we enlist Washington State Association of Counties (WSAC). Ms. Pratt will be in Olympia and will make inquiries.

Mr. Peterson asked about the Coastal Counties Caucus response to the Shoreline Management Act. Mr Myhr explained that there is draft legislative law supported by American Planners Association that favors completing uplands compliance first, then shoreline later.

Ms. Pratt sent out a revised draft of the 2010 legislative priorities, and asked Council to review.

**ADDITIONAL UPDATES AND DISCUSSION ITEMS:**

1. Council Retreat, Monday, March 1 – Discussion was held about the upcoming Council retreat. Mr. Fralick asked the Council for ideas and topics. Discussion continued, Mr. Fralick requested Council respond in writing by January 26.

2. Public Access Time - Randy Gaylord, Prosecuting Attorney, reviewed the rules for citizen's access time during regular sessions. The rules allow for maximum availability for public comment that should not allow disruption precluding other important matters. Public access should be encouraged, and there should be some limits imposed on it, i.e., discouraging speakers from discussing litigation, administrative matters, or allowing rude or inappropriate behavior.

3. Council Committee and representation assignments:

The following action was taken:

**Moved by Mr. Peterson, seconded by Mr. Myhr, to appoint Howard "Howie" Rosenfeld to another term on the Ferry Advisory Committee.**

**All Ayes**

**Ms. Pratt moved, Mr. Peterson seconded, to appoint Bob Myhr to the Salmon Recovery Council Administration, North Sound Mental Health Association, and the Northwest Regional Council.**

**All Ayes**

**Moved by Mr. Myhr, seconded by Ms. Pratt, to appoint Gene Knapp to the Northwest Regional Council.**

**All Ayes**

**4:58 PM      ADJOURN AND SIGN DOCUMENTATION**

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**COUNTY COUNCIL, SAN JUAN COUNTY, WASHINGTON**

**These Minutes were approved and signed on Tuesday, January 12, 2010. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.**