

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58

MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
Monday, March 23 and 24, 2009

Monday, March 23, 2009, Special Meeting - Council Hearing Room, Legislative Building, Friday Harbor

9:00 AM **CLOSED SESSION: Labor Contract Negotiations** – Participants: Pamela Morais, Human Resource Manager and the full Council.

Council Chair Peterson announced that the Council would be holding a closed session estimated to last approximately 45 minutes, to discuss labor contract negotiations pursuant to the provisions of RCW 42.30.140(4)(b). The session ended at 9:44 a.m. for an actual session time of 44 minutes. No action was taken.

Monday, March 23, 2009, Staff Meeting Council Work Session – Council Hearing Room, Friday Harbor

10:00 AM **CALL TO ORDER**

Council Chair Peterson called the Staff Meeting/Work Session to order at 10:05 a.m. Council members Gene Knapp, Bob Myhr, Lovel Pratt, and Richard Fralick; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerks, Lisa Brown and Maureen See; and interested members of the public were present.

CITIZENS' ACCESS TIME

Tom Nolan, Construction Contractor, read a letter that he had sent to the Council regarding permitting for accessory structures and inquired about the definition of "accessory." He asked the Council to reconsider how it is interpreted for permitting purposes. Council discussion took place and Mr. Peterson asked that a response be provided by CD&P Director, Ron Henrickson, during Council Member Updates.

10:15 AM **CLERK UPDATE & Administrative Matters:** **Ms. Larson** reported that the recording of the meeting today would be posted on-line this evening and introduced Chad Swanson, Founder and Vice-President of the recording company AV Capture All, currently being test-piloted for recording Council sessions. She reported that the field trip this afternoon would begin at 1:00 at the Thrift House and that a joint meeting with the Town would be taking place from 12:00 – 1:00 on Tuesday.

Committee Update: **Ms. See** referenced information in the Council binders, noting that she had included a new committee vacancy list. She provided details on applicants and addressed position opening discrepancies. Ms. Pratt pointed out that Council members of a district that has an opening are required to submit a list of candidates that they approve of to the full Council. The Council concurred to approve Larry McNair's SWAC appointment on Consent tomorrow.

Review Minutes: Minutes of March 9 and 10, 2009 were reviewed and discussed.

Review Agendas: The upcoming Agendas were reviewed and discussed. Mr. Peterson inquired about Council approval of the FEIS. Mr. Rose explained that there is a 21 day appeal period for an environmental declaration process. Mr. Peterson stated he would like time to discuss this policy, noting that it had not been established through this Council.

Review Consent Agenda: Ms. Pratt reported on a delay in providing a draft letter to Dan Newhouse, Director of the State Department of Agriculture. The Council concurred to add this to the Consent Agenda. Mr. Knapp reported that there will be another letter to the Senate and is requesting that Skagit County also send a letter regarding holding the ferry fare increase to 2.5 percent.

Review Council Calendar Items: Council members reported on their upcoming calendar items and obligations.

10:25 AM **COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:**

Added items:

59
60 **Board of Health (BOH) Meeting Appointment:** Mr. Myhr requested Council approval for his representation on
61 the Board of Health at the March 18, 2009, meeting and the following action took place:
62

63 **Level Pratt : Motion / Gene Knapp : 2nd;**
64 **Rich Peterson : Approve / Richard Fralick : Approve / Level Pratt : Approve / Gene Knapp : Approve /**
65 **Howie Rosenfeld : Approve / Bob Myhr : Approve**
66

67 **Response to Public Comment:** Mr. Henrickson, Community Development and Planning (CD&P) Director,
68 assured the Council that there have been no changes to the rules and that they are doing what the department
69 has always done. He reviewed barn permits in agricultural areas, addressed additional considerations in shoreline
70 areas, and accessory dwellings to primary residences. Mr. Henrickson and Mr. Beliveau, CD&P Deputy Director,
71 answered questions from the Council. Council discussion took place and Mr. Peterson asked if the Council was
72 interested in more in depth clarification. It was decided to add this item to the agenda of April 6, 2009.
73

74 **COUNCIL MEMBER UPDATES:**
75

76 **Ferries/FAC/Intermodal:** Mr. Rosenfeld inquired about the letter Mr. Knapp spoke of and reported that the letter
77 to legislators regarding SJCC's position on ferry service, approved by the Council at the last meeting, had been
78 sent to the Governor, Chairs of transportation committees, and by e-mail to all Representatives and Senators. Ms.
79 Pratt also reported on a hearing for Senate Bill 6109. Mr. Sutton announced that the inaugural San Juan
80 Islands/Sidney ferry run is scheduled for this Sunday and encouraged Council members to attend, noting that
81 WSF and State representative would be on board. Mr. Peterson requested that this be scheduled as a special
82 meeting. Ferry Bill 6109 Report: Mr. Rose later provided information regarding Senate Bill 6109.
83

84 **Budget Subcommittee:** Mr. Fralick had nothing further to report.
85

86 **Legislative Priorities & Lobbying Efforts:** Mr. Myhr and Ms. Pratt reported on meetings they attended in
87 Olympia. Mr. Rose and Mr. Henrickson provided input on how the Anacortes decision impacts the submittal of
88 SJC's Critical Areas Ordinance (CAO).
89

90 **Cell Phone Task Force (CPTF):** Mr. Fralick reported that work on the draft Ordinance would continue on
91 Wednesday and that the CPTF would be making a presentation to the Council on March 30, 2009. Mr. Myhr
92 requested a comparison to the old Ordinance.
93

94 **General Government Subcommittee:** Mr. Knapp provided a progress report.
95

96 **Broadband Stimulus Funding:** Mr. Fralick reported that SJC has an opportunity to improve Broad Band access
97 by applying for stimulus funding, noting that SJC would need to register to begin the process soon to ensure a
98 more favorable position. He submitted the requirement checklist to Mr. Rose with the Council's concurrence. Mr.
99 Johnson also provided input.
100

101 **11:00 AM COUNTY ADMINISTRATOR ITEMS:** Pete Rose, County Administrator; Barbara Rosenkotter,
102 SJC Lead Entity Coordinator; Ron Henrickson, CD&P Director; and interested members of the
103 public were present.
104

105 **1. State of the Salmon Report:** Ms. Rosenkotter reported on salmon recovery efforts and funding, and
106 provided a 10 year anniversary report put out by the Washington State Governor's Salmon Recovery Office. Mr.
107 Myhr pointed out that salmon recovery is an important issue for all of Puget Sound and that SJC owes Ms.
108 Rosenkotter a tremendous debt of thanks and needs to do whatever necessary to keep funding for her position
109 intact.
110

111 **2. Briefing on First UDC Docket Items:** Mr. Henrickson referenced his staff report and provided information to
112 the council regarding items proposed to come before the Council in a UDC Hearing. Mr. Henrickson answered
113 questions from the Council and a motion to direct the County Administrator to proceed to process the first UDC
114 docket for 2009 was made.
115

116 **Richard Fralick : Motion / Lovel Pratt : 2nd**
117 **Rich Peterson : Approve / Richard Fralick : Approve / Lovel Pratt : Approve / Gene Knapp : Approve /**
118 **Howie Rosenfeld : Approve / Bob Myhr : Approve**
119

120 **11:35 AM COMMITTEE REPORT:** Parks & Recreation Commission Work Plan - Gilbert Blinn, Chair; Kyle
121 Davies, Vice Chair, San Juan Island; Cy Field, Shaw Island; Carl Jones, Lopez Island; Ann
122 Palmer, Lopez Island; and Sandy Playa, Orcas Island; and interested members of the public.
123

124 Mr. Blinn provided an overview of the work plan proposed by the Parks & Recreation Commission. He introduced
125 commission members present and also recognized Cloud Oakes, San Juan Island, who was not present. He
126 explained their work plan, and provided a budget review and recommendations. Mr. Blinn and Ms. Playa
127 answered questions from the Council.
128

129 **Lopez Village Ad Hoc Committee:** Mr. Myhr asked to have staff advertise for committee members to address
130 issues for Lopez Village in the Islands Weekly and asked Mr. Henrickson for staff support for this committee. Mr.
131 Henrickson said that he would support this and Mr. Rose noted that time given to support that committee is time
132 taken away from CD&P department. A motion that the Council support this was made:
133

134 **Bob Myhr: Motion / Gene Knapp: 2nd**
135 **Rich Peterson : Approve / Richard Fralick : Approve / Lovel Pratt : Approve / Gene Knapp : Approve /**
136 **Howie Rosenfeld : Approve / Bob Myhr : Approve**
137

138 **1:00 PM SAN JUAN ISLAND TRANSFER STATION SITE VISITS:**
139

140 At 1:00 p.m., the Council toured the Thrift House, the Daniel Lane property, Beaverton Valley property,
141 Consignment Treasures, and the Sutton Road property in preparation for the upcoming Solid Waste Transfer Site
142 location hearing.
143

144 **3:45 PM ADJOURN:** The session was adjourned at 3:45 following the site visits.
145

Monday, March 24, 2009, Regular Meeting - Council Hearing Room, Legislative Building, Friday Harbor
--

147
148 **10:00 AM CALL TO ORDER**
149

150 Council Chair Peterson called the meeting to order at 10:05 a.m. and the flag salute was conducted. Council
151 members Howard (Howie) Rosenfeld, Gene Knapp, Bob Myhr, Lovel Pratt, and Richard Fralick; County
152 Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerk, Lisa Brown; and interested members of
153 the public were present.
154

155 **CITIZENS' ACCESS TIME:** No public comments were submitted.
156

157 **COUNCIL ADMINISTRATIVE MATTERS**
158

159 **Minutes of March 9 and 10, 2009;** motion to approve:
160

161 **Richard Fralick: Motion / Howie Rosenfeld: 2nd**
162 **Rich Peterson : Approve / Richard Fralick : Approve / Lovel Pratt : Approve / Gene Knapp : Approve /**
163 **Howie Rosenfeld : Approve / Bob Myhr : Approve**
164

165 **Consent Agenda of March 24, 2009;** the councils moved to adopt:
166

167 **A. Resolutions/Ordinances:** (No items.)
168

168 **B. Contracts/Agreements:** (No items.)
169

169 **C. Budget Items:**

170 Approve 2009 Warrants signed by Auditor and County Administrator:

- 171
 - Warrants #59160-59214 in amount of \$265,270.07 for Public Works

- 172 • Interfund Transfer Approval for Month of December 2008 13th month in (Jan 2009)
- 173 • Interfund Transfer Approval for the Month of January 2009
- 174 • Interfund Transfer Approval for the Month of February 2009
- 175 • Warrants #59068-59159 in amount of \$151,801.36 for County Claims
- 176 • Warrants #59319-59321 in amount of \$3,100 for Veteran's Assistance
- 177 • San Juan County Payroll Approval for the pay periods ending January 23, 2009 and February 20,
- 178 2009
- 179 • Warrants #59607 – 59682 Public Works claims in the amount of \$87,231.42
- 180 • Warrant #59683 Public Works claim in the amount of \$3,306.77
- 181 • Warrants #59684 - 59708 2008 Medical Reimbursements in the amount of \$10,270.09
- 182 • Warrants #59709 – 59722 (except 59713) 2009 Medical Reimbursements in the amount of
- 183 \$3,790.31
- 184 • Warrants #59723 – 59724 2009 Medical Reimbursements in the amount of \$676.56
- 185 • Warrants #59493 – 59606 in the amount of \$99,605.24 for County Claims

186 **D. Personnel:** (No items.)

187 **E. Appointments:**

188 1. A letter appointing Larry McNair to the San Juan County Solid Waste Advisory Committee, Position #9, filling

189 the unexpired term of Edie deChadenedes, beginning immediately and expiring on August 31, 2009.

190 **F. Correspondence:**

191 1. A letter to Carrie Clingan of the National Association of Counties supporting a proposal for the Coastal

192 Counties Restoration Initiative between the SJC Marine Resources Committee and the Northwest Straits

193 Foundation.

194 2. A letter to President Elson Floyd, Washington State University, expressing concern over possible budget cuts in

195 the WSU Extension.

196 3. Letters to Senator Mary Margaret Haugen and Senator Kevin Ranker asking for support of a 2.5% ferry

197 increase.

198 4. A letter to Dan Newhouse, Director, Washington State Department of Agriculture regarding support for

199 agricultural priorities in San Juan County.

200 **G. Miscellaneous:**

201 1. Authorize the County Administrator to sign Contract Documents, bids, etc. regarding the Fisherman Bay Rd.

202 project seeking Federal Stimulus Package funds.

203 **H. Bid Openings:** (No items.)

204

205 **Bob Myhr: Motion / Gene Knapp: 2nd**

206 **Rich Peterson : Approve / Richard Fralick : Approve / Lovel Pratt : Approve / Gene Knapp : Approve /**

207 **Howie Rosenfeld : Approve / Bob Myhr : Approve**

208

209 **COUNCIL MEMBER UPDATES**

210

211 **Legislative Priorities & Lobbying Efforts:** Ms. Pratt reported on contacts she made in Olympia with Jay

212 Manning of the Department of Ecology (DOE) and Jeannie Summerhays, DOE Northwest Regional Director, who

213 offered to come to SJC to meet on-site at the Transfer Station with a subcommittee of elected Town and County

214 officials, personnel and administrative staff to look at problem solving and review options. Discussion regarding

215 representation took place. Mr. Rosenfeld noted that he recommended forming a subcommittee in December of

216 2006. Mr. Peterson suggested SJ representatives and a member of the Town Council and Michael Bertrand as

217 Town Staff. It was decided that scheduling of this meeting would take place immediately.

218

219 **Senate Bill 5433:** Ms. Pratt reported that WSAC has been urging support of SB 5433, giving Counties an

220 opportunity to have a utility tax in unincorporated areas in an enabling ordinance. Mr. Peterson stated he wouldn't

221 be opposed to the legislation, but would not be in favor of imposing another tax. Motion to support SB 5433:

222

223 **Howie Rosenfeld: Motion / Lovel Pratt: 2nd**

224 **Rich Peterson : Approve / Richard Fralick : Approve / Lovel Pratt : Approve / Gene Knapp : Approve /**

225 **Howie Rosenfeld : Approve / Bob Myhr : Approve**

226

227 **Rescue Tug Legislation:** Mr. Myhr pointed out that the Governor is prepared to sign the Rescue Tug

228 Legislation, which requires a tug in Port Angeles and requires the oil tanker companies to provide a mechanism to
229 fund it, but is not laid out in legislation.

230
231 **WSAC Coastal Counties Caucus (CCC):** Mr. Myhr also pointed out that the CCC is going to be asking the
232 WSAC Legislative Steering Committee to seek \$33,000 for the Puget Sound Restoration Project, noting that the
233 Lead Entity programs and salmon recovery are extremely important to support.

234
235 **Farmers Market:** Mr. Fralick inquired about a report from Dona Wuthnow, Parks Department Director, regarding
236 rent and revenue numbers. He noted that last year the Farmers Market on Orcas was granted \$5,000 to offset
237 their costs and are asking the Council to reconsider that item for this year as well. Mr. Fralick reported on his
238 conversations with the new director of the Orcas Farmers Market.

239
240 **Homes for Islanders Letter:** Mr. Peterson reported on a letter requested by Homes for Islanders to support their
241 grant effort. Mr. Rose provided information regarding this. Ms. Pratt offered to make some changes to the letter
242 and bring it back for consideration in the afternoon.

243
244 **10:20 AM PUBLIC HEARING:** A public hearing was held to consider an Ordinance changing the Health &
245 Community Services Advisory Board to the Human Services Advisory Board. Present: Full
246 Council; County Administrator, Pete Rose; County Clerk, Ann Larson; Public Hearings Specialist,
247 Lisa Brown; Health & Community Services Director, John Manning; and interested members of
248 the public.

249
250 Mr. Manning referenced his Staff Report and reviewed the reason for this change through institution of the County
251 Charter. Mr. Manning answered questions from the Council. Several changes to the Ordinance were agreed
252 upon by the Council. Public Testimony was opened, none submitted and closed. Deliberations were held and a
253 motion to adopt the Ordinance as corrected was made:

254
255 **Bob Myhr: Motion / Richard Fralick: 2nd**
256 **Rich Peterson : Approve / Richard Fralick : Approve / Lovel Pratt : Approve / Gene Knapp : Approve /**
257 **Howie Rosenfeld : Approve / Bob Myhr : Approve**

258
259 **10:40 AM PUBLIC HEARING:** A public hearing was held to consider an Ordinance Amending the
260 Comprehensive Plan regarding the Housing Element & Changes to Appendix 1 – Population.
261 Present: Full Council; County Administrator, Pete Rose; County Clerk, Ann Larson; Public
262 Hearings Specialist, Lisa Brown; CD&P Director, Ron Henrickson; Senior Planner, Colin
263 Maycock; and interested members of the public.

264
265 Mr. Henrickson and Mr. Maycock presented their staff report and provided details regarding their population
266 assumptions and housing needs projections. Mr. Henrickson and Mr. Maycock answered questions from the
267 Council regarding available property, utilities, population growth, and the exclusion of rental properties. Public
268 testimony was opened, submitted by six individuals who spoke in favor of affordable housing measures. After
269 hearing all testimony from the public present, Mr. Peterson suggested continuing the hearing to a date certain
270 when it became clear that the Council would not have time to deliberate. The Council expressed interest in
271 continuing the public hearing and also holding a work session. Mr. Henrickson said that he could apply for an
272 extension to the GMA Housing Element requirement. A motion to continue the public hearing to March 31, 2009,
273 at 10:20 a.m. was made:

274
275 **Bob Myhr: Motion / Richard Fralick: 2nd**
276 **Rich Peterson : Approve / Richard Fralick : Approve / Lovel Pratt : Approve / Gene Knapp : Approve /**
277 **Howie Rosenfeld : Approve / Bob Myhr : Approve**

278
279 The Council requested additional information from Mr. Henrickson and Mr. Maycock, and then concluded the
280 hearing for the day.

281
282 **11:30 AM Climate Change Update:** Postponed to 2:00 p.m.

283

284 **12:00 PM** **JOINT MEETING:** Town of Friday Harbor / San Juan County Council – Town Council members
285 Carrie Brooks, Carrie Lacher, Chris Wolf, Anna Maria deFreitas, and Liz Illg; Mayor, David Jones;
286 Town Administrator, Michael Bertrand, Town Planner; and Amy Taylor, Town Clerk; County
287 Council members Rich Peterson, Howard (Howie) Rosenfeld, Gene Knapp, Bob Myhr, Lovel
288 Pratt, and Richard Fralick; County Administrator, Pete Rose; Clerk to the Council, Ann Larson;
289 Deputy Clerk, Lisa Brown; and interested members of the public were present.
290

291 Ms. Taylor called roll and Mayor Jones conducted the Flag Salute. The Town and County Councils engaged in
292 discussion lead by Mayor Jones regarding the Joint Policy Planning Committee, Phase 1 of the Friday Harbor
293 UGA (Buck) Annexation, Ferries, future Transfer Station Plans, and the current Transfer Station Interim Waste
294 Plan. Ms. Pratt informed the Town representatives of the offer made by Jeanie Summerhays to make a site-visit
295 to the Transfer Station to review options and help problem-solve. A committee was designated as follows: Rich
296 Peterson, Howie Rosenfeld, Lovel Pratt, Carrie Lacher, Liz Illg, Pete Rose, King Fitch, Jon Shannon, Steve
297 Alexander, Ed Hale, and Mike Wilks and the Clerk was asked to schedule the visit. Mr. Rosenfeld stated that
298 there is a bill to raise fees and/or taxes on float planes that is under consideration and asked if the Town would be
299 willing to write a letter opposing this. Mayor Jones responded affirmatively. At 1:00 p.m., Mayor Jones moved to
300 adjourn and the County Council recessed for lunch.
301

302 **2:00 PM** **DISCUSSION:** (2:00 p.m.) Climate Change Assessment & Progress – Present: Stan Matthews,
303 Communications Manager; and interested members of the public.
304

305 Mr. Matthews reported on measures being put into place by SJC to decrease its carbon footprint. He provided a
306 PowerPoint presentation outlining the 18 measures the Council committed to address in an Ordinance passed last
307 year and progress towards those measures, noting that some require guidance as they incur additional costs to
308 implement.
309

310 **2:00 PM** **WORKSHOP: Current Transfer Station Interim Waste Plan** (Commenced at approximately
311 2:15 p.m.) Steve Alexander, Solid Waste Manager; Jon Shannon, Ed Hale, Utilities Manager;
312 Mark Tomkins, Health Department; Peter Christianson, DOE, and solid waste manager for the
313 Bellevue Office, which oversees SJC; and interested members of the public were present.
314

315 Mr. Hale provided materials and the panel reported and answered questions from the Council regarding the
316 current transfer station mitigation requirements, costs to bring it up to code, and development of another site. The
317 Council requested a public work session and Clerk Larson offered April 13, 2009, as a date for this to take place.
318

319 **Letter Supporting Senate Bill 5433;** motion to sign:
320

321 **Lovel Pratt: Motion / Howie Rosenfeld: 2nd**

322 **Rich Peterson : Approve / Richard Fralick : Approve / Lovel Pratt : Approve / Gene Knapp : Approve /**
323 **Howie Rosenfeld : Approve / Bob Myhr : Approve**
324

325 **Letter to support Homes for Islanders;** motion to sign:
326

327 **Howie Rosenfeld: Motion / Lovel Pratt: 2nd**

328 **Rich Peterson : Approve / Richard Fralick : Approve / Lovel Pratt : Approve / Gene Knapp : Approve /**
329 **Howie Rosenfeld : Approve / Bob Myhr : Approve**
330

331 **3:45 PM** **ADJOURN AND SIGN DOCUMENTATION:** Mr. Peterson adjourned the meeting at 3:45 p.m. A
332 Special Meeting was scheduled for Sunday, March 29, 2009, on the San Juan Islands/Sidney
333 2009 inaugural run, a Staff Meeting / Work Session for Monday, March 30, 2009, and the next
334 regular meeting was scheduled for Tuesday, March 31, 2009.
335

336 APPOINTMENTS:
337

338 **1.** See Consent Agenda, section E.

339 **2.** Approve representation of Bob Myhr for the March 18, 2009 BOH meeting. (See Monday, March 23, 2009
340 10:25 a.m. COUNCIL MEMBER UPDATES, Added items.)

341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398

BUDGET ITEMS/WARRANTS:

1. See Consent Agenda, section C.

CALL FOR BIDS: (No items.)

CONTRACTS/AGREEMENTS: (No items.)

CORRESPONDENCE:

1. See Consent Agenda, section F.

2. Letter supporting Senate Bill 5433*

3. Letter supporting Homes for Islanders*

*(See March 24, 2009, CORRESPONDENCE, following the 2:00 p.m. Workshop.)

MISCELLANEOUS ITEMS: (No items.)

ORDINANCES / RESOLUTIONS:

ORD. NO. 6-2009 (Refer to March 24, 2009, 10:20 a.m., PUBLIC HEARING, for details of action taken.)

PERSONNEL ITEMS: (No items.)

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

Rich Peterson, Chair
District 2, San Juan North

ATTEST: Clerk of the Council

Richard Fralick, Vice-Chair
District 4, Orcas West/Waldron

By: _____
Lisa Brown, Deputy Clerk/
Public Hearings Specialist

Lovel Pratt, Member
District 1, San Juan South

Howie Rosenfeld, Member
District 3, Friday Harbor

Gene Knapp, Member
District 5, Orcas East

Bob Myhr, Member
District 6, Lopez/Shaw