

**SAN JUAN COUNTY (SJC), WASHINGTON
SPECIAL MEETING MINUTES – EARLY START
COUNTY COUNCIL
May 8, 2012**

Tuesday, May 8, 2012 – Legislative Hearing Room, Friday Harbor, WA

9:03 AM PRESENTATION: Courthouse Security Plan – Judge Stuart Andrew

Judge Andrew asked the Council for support and adoption of the Courthouse Security Plan to establish policies and procedures that will reduce the risk of incidents in the Courthouse. Sheriff Nou supported the need for better security in the Courthouse, particularly having alarms and surveillance cameras. After discussion, the following action took place:

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to place an amended San Juan County Courthouse Security Plan on a future consent agenda and that implementation is subject to available funding. ALL AYES, MOTION CARRIED

9:46 AM COUNTY ADMINISTRATOR ITEMS:

1. Modifying Solid Waste Excise Tax (1st Touch) – Utilities Manager Ed Hale

Mr. Hale offered background information on the collection of excise tax. A new ordinance will be needed that redefines the collection of excise tax, applicability, and rate changes. The second touch on this matter is scheduled for May 22.

10:00 AM CALL TO ORDER – REGULAR MEETING

Excused Absences: none

New Employee Introductions: none

Approval of Minutes (May 1, 2012):

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to approve the Minutes of May 1, 2012 as amended. ALL AYES, MOTION CARRIED

Approval of Consent Agenda for May 8, 2012:

A. Resolutions:

Ordinances:

B. Contracts/Agreements :

C. Budget Items:

The Auditor's office requests approval of the following expenditures:

- Warrants #110017-110063 in the amount of \$123,393.91 for Public Works
- Warrants #109947-110016 in the amount of \$29,521.68 for County Claims
- Warrant #110064 in the amount of \$1,058.25 for Veteran's Assistance
- Warrants #110069-110132 in the amount of \$69,586.64 for County Claims
- Warrants #110067-110068 in the amount of \$1,680 for Veteran's Assistance
- Payroll expenditures for period ending 4/23/2012

D. Personnel:

E. Appointments
F. Correspondence:
G. Miscellaneous:
H. Bid Openings:

Moved by Mr. Fralick, seconded by Mr. Stephens, to approve the Consent Agenda of May 8, 2012. ALL AYES, MOTION CARRIED

Approval of Correspondence:

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to approve a letter to the Chair of the Puget Sound Partnership Leadership Council from the San Juan County Action Agenda Oversight Group regarding the prioritization process for Action Agenda Sub-Strategies. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve a letter to the Naval Facilities Engineering Command, Northwest, with recommendations for scope of issues inclusion in the Navy's Northwest Training and Testing Environmental Impact Statement/Overseas Environmental Impact Statement. ALL AYES, MOTION CARRIED

Moved by Ms. Miller to amend the letter to include the following sentences: " We appreciate the significant importance these training exercises have to the ongoing operations of the Navy and the quality of services they provide to our country" and "The Council places additional emphasis on the understanding the alternatives that have been fully evaluated and considered." MOTION FAILED FOR LACK OF SECOND

Moved by Mr. Fralick, seconded by Mr. Peterson, to table the motion until after lunch for time to formulate the amendments. ALL AYES, MOTION CARRIED

Citizens Access: The following citizens offered comments: none

10:24 AM

PUBLIC HEARINGS:

1. To Consider Current Use Timber Application PTOSOP-11-0002 (Nutt, Orcas Island) – Lee McEnergy, Planner II

Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Ms. McEnergy reviewed the current use timber proposal and the materials sent in by Jeff Otis. Ms. McEnergy answered questions from the Council. Ms. Miller opened for public testimony, and comments were offered by Jeff Otis, Bob Nutt, Carson Sprenger. Public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to approve the Nutt Current Use Timber application #PTOSOP-11-0002 on Orcas Island which includes the full 25 acres. ALL AYES, MOTION CARRIED

10:44 AM

2. To Consider an Ordinance on Solid Waste Debt Long-Term Funding (continued from April 24th – public comment accepted) – County

Administrator Pete Rose; Public Works Director Frank Mulcahy; Jan Sears, Treasurer

Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel; Deputy Clerk Maureen See

Mr. Rose provided background information on the Solid Waste Program debt. He asked the Council to consider a policy to approve a bond ordinance that will enable a bond sale to finance existing county debt in the solid waste capital program. Attending the meeting by teleconference were Susan Musselman of SDM Advisors and Cynthia Weed of K & L Gates, LLP.

Ms. Miller opened for public testimony, and no comments were offered. Public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Peterson, seconded by Mr. Stephens, to approve an Ordinance of the County providing for the issuance and sale of a taxable limited general obligation bond of San Juan County in the principal amount of \$810,000 to provide funds to reimburse the County for planning costs of the solid waste transfer station; providing the date, form and repayment terms of said bond and for the pledge of the County's full faith and credit to pay the principle thereof and interest thereon; and approving the sale of such bond. ALL AYES, MOTION CARRIED

11:05 AM

3. To Consider 2012 Budget Emergency and Supplemental Appropriations – Auditor Milene Henley

Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel; Deputy Clerk Maureen See, and interested members of the public

Ms. Henley explained the three Ordinances submitted for Council approval.

Ms. Miller opened for public testimony, and no comments were offered. Public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Fralick, seconded by Mr. Stephens, to approve an Ordinance amending Ordinance 29-2011, revising the San Juan County 2012 Budget for Beginning Cash Balances. ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Stephens, to approve an Ordinance amending Ordinance 29-2011, revising the San Juan County 2012 Budget for Supplemental Appropriations. ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Stephens, to approve an Ordinance amending Ordinance 29-2011 by revising the San Juan County 2012 Budget for Emergency Appropriations. ALL AYES, MOTION CARRIED

11:10 AM

4. To Consider a Public Safety Sales Tax Ordinance – Randall Gaylord, Prosecuting Attorney

Present: Full Council, County Administrator Pete Rose, Clerk to the

Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Randall Gaylord, Prosecuting Attorney, reviewed two versions of the public safety sales tax ordinance, and provided an update of recent meetings with the Law & Justice Council and the Town of Friday Harbor in regard to the sales tax.

Ms. Miller opened for public testimony, and comment was offered by Steve Hushebeck. Public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Fralick, seconded by Mr. Peterson, to accept the background in Section 1 and Section 2 as presented in today’s version. ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Peterson, to accept the background in Section 3 and to remove the words “or enhance” from the second paragraph as presented in today’s version. ALL AYES, MOTION CARRIED

Ms. Miller proposed a friendly amendment, accepted by the motioners, to add the words “of the public safety tax” in Section 3, second paragraph, after the words “its appropriations” as presented in today’s version.

Ms. Pratt proposed a friendly amendment, accepted by the motioners, to add the words “...public safety services” in Section 3, second paragraph, third line, as presented in today’s version.

Moved by Mr. Fralick, seconded by Mr. Stephens, to accept and approve Section 4 and Section 5 as presented in today’s version with the following changes: reinsert the words “criminal justice” as in the Town of Friday Harbor’s request, and add “to protect existing” in the second sentence after the words “by the County,” and change the word “purposes” to “services.” ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Stephens, to approve Section 5. Ballot Title as follows: “County of San Juan Proposition No. 1, The San Juan County Council adopted Ordinance No. (to be assigned) – 2012 concerning the imposition of a sales and use tax for criminal justice and public safety purposes. This proposition would increase the sales tax in San Juan County by three-tenths of one percent (.003), to be used by the County to protect existing criminal justice and public safety services including law enforcement, prosecution, public defense, courts, probation, victim services, jail, and dispatch services, and by the Town of Friday Harbor for criminal justice and public safety purposes and public works projects.” ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Stephens, to approve an Ordinance as amended that provides for the submission to the voters of San Juan County a proposition authorizing an additional sales and use tax at the rate of three-tenths of one percent on transactions as described in RCW 82.14.450 to be used for the criminal justice, public safety and other purposes. ALL AYES, MOTION CARRIED

12:00 PM RECESS FOR LUNCH

1:07 PM PRESENTATION: Septic permits available on-line – Stan Matthews, Communications Administrator

1:12 PM EXECUTIVE SESSION: To evaluate the qualifications of Candidates for appointment to public office pursuant to RCW 42.30.140(1)(g) – Full Council, Human Resource Manager Pamela Morais, County Administrator Pete Rose and Council Clerk Ingrid Gabriel.

At 1:12, Council Chair Miller announced that the Council would be holding an **executive session** to evaluate qualifications of applicants for public employment, pursuant to RCW 42.30.140(1)(g); estimated to last approximately 20 minutes. Present: Full Council, County Administrator Pete Rose, Human Resources Manager Pamela Morais and Clerk to the Council Ingrid Gabriel. At 1:32, Ms. Gabriel added 10 minutes to the notice posted on the hearing room door. At 1:42, Ms. Gabriel added 8 minutes to the notice posted on the hearing room door. The session ended at 1:45 for a total executive session time of 38 minutes.

Mr. Gabriel stepped out of the hearing room and announced that the executive session had ended.

No Action was taken.

1:45 PM Tentative DISCUSSION: County Administrator Transition

Mr. Rose outlined the transition plan for the Council. The Council reviewed the specifics of the transition plan.

2:08 PM DISCUSSION: Public Comments on Wetlands Section of the Critical Area Ordinance (CAO)

Public comments were offered by: Janet Alderton, David Dehlendorf, Jack Cory, Tim Blanchard, Stephanie Buffum, John Derah, Kip Smith, David Jenkins, Kyle Loring, (second round of comments provided by Janet Alderton, David Dehlendorf, Jack Cory, Tim Blanchard).

Shireene Hale, Planning Coordinator, offered comments on habitat buffers.

Moved by Ms. Pratt, seconded by Mr. Peterson, to approve a thank you letter to Vince and Vicky Daucinaus for the tour of their wetland property. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve a thank you letter to Mike Carlson for a tour of his wetland property. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Fralick, to take the motion off the table. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve a letter to the Naval Facilities Engineering Command, Northwest, with recommendations for scope of issues inclusion in the Navy's Northwest Training and Testing Environmental Impact Statement/Overseas Environmental Impact Statement as amended. ALL AYES, MOTION CARRIED

3:23 PM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Ms. Gabriel reported that the next Council meeting will be May 22. Ms. Gabriel asked for another Council member to join the Historic Grant application review team.

Ms. See gave a short report on committee activity, and will give a longer version at the next Council meeting.

3:28 PM COUNCIL MEMBER UPDATES:

Mr. Stephens reported that Lodging Tax Advisory Committee (LTAC) met on May 4 to hear presentations for 2013 Facilities Grant applications. Deliberations will be held on May 23.

Video conferencing will be available for the May 22 Council meeting.

Budget Subcommittee: Mr. Fralick reported that a budget graph Council received contained an error, and he handed out a corrected version.

Legislative Priorities: Ms. Pratt reported on the Washington State Association of Counties (WSAC) Legislative Steering Committee meetings she attended last week in Lake Chelan.

Ferries/FAC/Intermodal: Mr. Rosenfeld reported that the fall schedule was not reviewed as planned on April 28. Boats are having trouble keeping on schedule partly due to the Lopez dock. The Coast Guard gave Washington State Ferries (WSF) permission to have smaller crews which affects morning sailings. Mr. Rosenfeld complimented Chair Jim Corenman for noticing that something was missing from the commercial reservation plan. Jim brought it to the attention of WSF which helped to correct the problem.

3:41 PM RECESS

4:03 PM EXECUTIVE SESSION: To evaluate the qualifications of Candidates for appointment to public office pursuant to RCW 42.30.140(1)(g) – Full Council, Human Resource Manager Pamela Morais, County Administrator Pete Rose and Council Clerk Ingrid Gabriel.

At 4:03, Council Chair Miller announced that the Council would be holding an **executive session** to evaluate qualifications of applicants for public employment, pursuant to RCW 42.30.140(1)(g); estimated to last approximately 1 hour and 20 minutes. Present: Full Council, County Administrator Pete Rose, Human Resources Manager Pamela Morais and Clerk to the Council Ingrid Gabriel.

At 5:23, Ms. Gabriel added 10 minutes to the notice posted on the hearing room door. The session ended at 5:28 for a total executive session time of 1 hour and 25 minutes.

Mr. Rose stepped out of the hearing room and announced that the executive session had ended.

No Action was taken.

5:28 PM ADJOURNED

Ms. Miller called the meeting back into regular session and adjourned the meeting.

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on May 18, 2012. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.