

**SAN JUAN COUNTY (SJC), WASHINGTON
SPECIAL MEETING MINUTES – EARLY START
COUNTY COUNCIL
July 10, 2012**

Tuesday, July 10, 2012 – Legislative Hearing Room, Friday Harbor, WA

SPECIAL MEETING

8:35 AM PUBLIC HEARINGS:

1. To adopt County Code 18.30 Updates Relating to Agricultural Sales, Recycling and Clarification of Terms, Regarding Amendment of San Juan Code Sections 18.20, 18.30 and 18.40, and adding new Section to SJCC 18.30 (continued from June 26) – Lee McEnery, Planner II
Present: Full Council, Interim County Administrator Pro Tem Bob Jean, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Ms. Miller opened the Public Hearing on County Code 18.30 Updates. Ms. Miller noted that public testimony was closed with the right to reopen.

Moved by Ms. Pratt, seconded by Mr. Stephens, on page 3 of 81, under the definition of “Agricultural activities” to insert the word “agriculture” before “composting.” ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Stephens, to include a new definition for “Agricultural composting” to say “Agricultural composting means composting of agricultural waste as an integral component of a system designed to improve soil health and recycling agricultural wastes. Agricultural composting is conducted on lands used for farming and is an agricultural activity. Agricultural composting can include the collection of off-site yard, landscape, agricultural waste and other compostable materials to be processed into compost, including sales or delivery of finished composted product. Such operation shall be accessory to the primary agricultural activities of the farm operation and shall not generate traffic and/or noise uncommon to a farm operation.” ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Stephens, on page 7 of 81, to include a new definition of “Composting” to say “Composting means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition. Natural decay of organic solid waste under uncontrolled conditions is not composting.” ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Stephens, to include a new definition for “commercial composting” to say “Commercial composting means the collection of off-site and/or public drop off of yard, landscape, agricultural wastes and other compostable materials to be processed into compost, including sales, pick-up and/or delivery of finished composted products.” ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Stephens, to include in Table 3.2 on page 32 of 81, “commercial composting” as follows: Provisional/Conditional in rural industrial,

Rural Commercial and Rural General Use, Forest Resource, and “No” in all other land use designations. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Stephens, to remove “composting” from the Land Use Designation Tables. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Stephens, on page 3 of 81, to include a new definition for “Agricultural wastes” to say “Agricultural wastes mean wastes on farms resulting from the raising or growing of plants and animals including, but not limited to, crop residue, manure and animal bedding, and carcasses of dead animals weighing each or collectively in excess of fifteen pounds.” ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Stephens, to amend the definition of “Agricultural Sales” to say “Agricultural sales means the sales of agricultural products primarily produced by the agricultural activities of the farm operation and can include agricultural products grown, raised or harvested in San Juan County, including processed products whose defining ingredients are produced or harvested in the county. Agricultural sales can include the sale of agricultural promotional materials which shall be accessory to the sale of the primary agricultural products.” ALL AYES, MOTION CARRIED

Moved by Ms. Miller, seconded by Mr. Stephens, to accept changes as proposed on page 23 of 81, Table 3.1, under Agriculture and Forestry Uses, except Agritourism and Farm Stand, and to add a footnote under Village Residential and Hamlet Residential, “Agricultural activities allowed, except for agricultural processing, retail, and visitor serving facilities for products.” ALL AYES, MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Miller, on page 3 of 81, to reinstate the definition of “Agricultural processing, retail and visitor serving facilities for products...” ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Stephens, to remove agricultural sales, composting, and agritourism from Table 3.2. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to include the word “agritourism” in the definition of “Agricultural Activities.” ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded Mr. Stephens, to place on the August 21, 2012 Consent Agenda, an Ordinance amending the provisions of San Juan County code Chapter 18.30 Land Use Districts, including provision for Agricultural Sales and Recycling; Amending Related Sections of SJCC Chapters 18.20 and 18.40; and adding a new Section to SJCC Chapter 18.30. WITHDRAWN

Moved by Ms. Pratt, seconded by Mr. Peterson, to continue the public hearing matter to adopt San Juan County Code Chapter 18.30 Updates relating to agricultural sales, recycling, and clarification of terms amending San Juan County Code Chapters 18.20 and 18.40; and adding a new Section SJCC Chapter 18.30, to August 7, 2012 at 9:15 am. ALL AYES, MOTION CARRIED

9:45 AM PRESENTATION: San Juan Islands Visitors Bureau Semi-Annual Report – Deborah Hopkins, Executive Director

Ms. Hopkins introduced Board Member Carl Silvernail. Ms. Hopkins gave a PowerPoint presentation on the Visitors Bureau 2012 Operating Budget.

10:05 AM PRESENTATION: Scenic Byway Corridor Management Plan – Liz Illg, Coordinator; Deborah Hopkins, Executive Director of the SJI Visitors Bureau

Ms. Illg presented the San Juan Islands Scenic Byway Corridor Management Plan, and asked the Council to adopt the plan. Ms. Illg and Ms. Hopkins answered questions from the Council.

This Management Plan will be scheduled for approval on a future agenda.

10:16 AM CALL TO ORDER – REGULAR MEETING

Excused Absences: none

New Employee Introductions: Community Planning Director Rene Beliveau introduced Annie Matsumoto-Grah, Planner II

Approval of Minutes (June 26, 2012):

Moved by Mr. Peterson, seconded by Mr. Fralick, to approve the Minutes of June 26, 2012. ALL AYES, MOTION CARRIED

Approval of Consent Agenda for July 10, 2012:

A. Resolutions:

A Resolution to Appoint a Director to the Washington Counties Risk Pool.

Ordinances:

B. Contracts/Agreements :

Collective Bargaining Agreement Fifth Amendment 2012 Re Details for Implementation of Classification Study Results and Wellness Program

C. Budget Items:

- The Auditor's office requests approval of the following expenditures:
- Warrants #112364-112410 in the amount of \$350,703.05 for Public Works
- Warrant #112116 in the amount of \$200 for Veteran's Assistance
- Warrant #112173 in the amount of \$210.58 for Veteran's Assistance
- Warrants #112255-112363 in the amount of \$181,162.32 for County Claims
- Warrant #112579 in the amount of \$386.54 for Veteran's Assistance
- Warrants #112458-112550 in the amount of \$198,331.25 for County Claims
- Warrants #112551-112578 in the amount of \$121,087.48 for Public Works

D. Personnel:

E. Appointments

F. Correspondence:

G. Miscellaneous:

H. Bid Openings:

Moved by Mr. Rosenfeld, seconded by Mr. Fralick, to approve the Consent Agenda of July 10, 2012. ALL AYES, MOTION CARRIED

Approval of Correspondence:

Moved by Mr. Peterson, seconded by Ms. Pratt, to approve a letter Curt VanHying on the occasion of his retirement as Senior Services Coordinator. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Ms. Pratt, to approve a letter of thanks, signed jointly with the Town of Friday Harbor, to Senator Patty Murray for securing federal funding for Washington State Ferries. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Ms. Pratt, to approve a letter of thanks, signed jointly with the Town of Friday Harbor, to Representative Rick Larsen for securing federal funding for Washington State Ferries. ALL AYES, MOTION CARRIED

Ms. Pratt noted that the Council will be recognizing Undersheriff Jon Zerby's retirement at a later date.

Citizens Access: The following citizens offered comments: Tim Blanchard, Janice Peterson, Sharon Kivisto, Charlie Bodenstadt

10:15 AM PRESENTATION: Charter Review Commission (CRC)
Recommendations for November Ballot – Gordy Petersen, Chair;
Ron Zee, Commission Member

Randall Gaylord, Prosecuting Attorney, answered questions from the Council.

Moved by Ms. Miller, seconded by Mr. Peterson, that the Charter amendments submitted to this Council today by the Charter Review Commission be received for filing and transmission to the County Auditor to be submitted to the voters of San Juan County at the general election in November 2012. ALL AYES, MOTION CARRIED

10:30 AM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Ms. Gabriel reminded the Council that the next meetings are scheduled for July 23 and 24.

Ms. See gave a committee report. After discussion the following action took place:

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to appoint Michael Moore to the Lopez Island Library Board of Trustees. ALL AYES, MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to appoint Becky Smith to the Lodging Tax Advisory Committee. ALL AYES, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Ms. Pratt, to appoint Mary Blevins to the Lodging Tax Advisory Committee. ALL AYES, MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to reappoint Carl Bender to the Northwest Regional Council's Senior Services Board. ALL AYES, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Ms. Pratt, to reappoint Bruce Gregory to the Noxious Weed Board. ALL AYES, MOTION CARRIED

Moved Mr. Rosenfeld, seconded by Mr. Fralick, to reappoint Joyce Nigretto to the Noxious Weed Board. ALL AYES, MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to reappoint Ann Palmer to the Parks Board. ALL AYES, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Ms. Pratt, to reappoint Johannes Krieger to the Parks Board. ALL AYES, MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to appoint William Scherer to the Parks Board. ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Miller, to appoint Michael Greenberg to the Solid Waste Advisory Committee. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Ms. Miller, to send a letter to Rachel Newcombe of the Orcas Island Library Board of Trustees correcting the term of her appointment. ALL AYES, MOTION CARRIED

Review Agendas:

The next Action Oversight Committee meeting will be on August 22.

Ms. Miller will be meeting with Orcas Site Selection Committee next week.

Ms. Pratt will be attending a Washington State Association of Counties (WSAC) Legislative Steering Committee meeting on July 31.

COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:

Lodging Tax Advisory Committee (LTAC): Mr. Stephens reported that he sent Council a copy of the Request for Proposals (RFP) for the Promotions contract. He confirmed that the contract can be renewed for one year. There have been no substantive changes to the promotions part of state law that need to be considered when developing an RFP.

Moved by Mr. Fralick, seconded by Mr. Stephens, to direct staff to move ahead with an RFP for the promotions contract fulfillment. VOTE: 5-0 (Rosenfeld abstained) MOTION CARRIED

Mr. Stephens reported on LTAC's recommendations for funding. He explained the sunset law regarding future allocations after June 2013. In seeking legal advice, he reported that the Council would have to change the county code which only funds facilities.

Moved by Mr. Fralick, seconded by Mr. Peterson, to request the Prosecuting Attorney to make modifications to the lodging tax ordinance to align state and county laws. ALL AYES, MOTION CARRIED

Ms. Lyshall asked for Council approval on the San Juan Local Integrating Organization letter to the Puget Sound Partnership regarding the 2012 Action Agenda.

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to authorize Ms. Pratt and Mr. Peterson to approve the letter San Juan Action Agenda Oversight Group's comment letter to the Puget Sound Partnership on the revised Action Agenda. ALL AYES, MOTION CARRIED

11:29 AM PUBLIC HEARINGS continued:

1. To Adopt an Ordinance Revising the General Fund Reserve Policy – Milene Henley, Auditor; Randall Gaylord, Prosecuting Attorney

PRESENT: Full Council, Interim County Administrator Pro Tem Bob Jean, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested member of the public

Ms. Henley reviewed the Ordinance revising the General Fund Reserve Policy. 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 Miller, seconded by Fralick to modify 3.48.030, Budget stabilization reserves., C.2., to amend the first sentence by adding: "...excluding any new sources of sales tax revenue that cannot be compared to the previous year..." ALL AYES, MOTION CARRIED

Moved by Pratt, seconded by Peterson, to add a new G. to the Background that says "It is the intention of the Council to utilize a percentage of additional unbudgeted sales tax revenue as a deposit into the Budget Stabilization Fund in the following year." ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Ms. Pratt, to adopt an Ordinance Revising Chapter 3.48 of the San Juan County Code Regarding the Reserve Policy for the General Fund and Capital Improvement Fund and Adopting a policy for reserving of the Real Estate Excise Tax Revenue as amended. ALL AYES, MOTION CARRIED

11:51 AM COUNTY ADMINISTRATOR ITEMS:

1. Discussion of a San Juan Island Site Request for Proposal (RFP) (2nd touch) – Public Works Director Frank Mulcahy; Utilities Manager Ed

Hale

Mr. Mulcahy reported on the changes to the San Juan Island RFP and gave an update on the Town of Friday Harbor RFP approved conditions.

Moved by Mr. Peterson, seconded by Ms. Pratt, that the Council authorize the Public Works Director to move forward with an RFP for the San Juan Island Site. ALL AYES, MOTION CARRIED

12:28 PM RECESS FOR LUNCH

1:18 PM DISCUSSION: Public Safety Sales Tax and 2013 Budget Implications;
Public Comment & Council Discussion – Bob Jean, Interim County
Administrator Pro Tem

Ms. Miller opened the discussion. Mr. Jean provided the Council with an Early Budget Report to provide voters with more information on the public safety sales tax impact.

Comments were offered by: Sheriff Rob Nou, Judge Don Eaton, Clerk Joan White, Auditor Milene Henley, Sharon Kivisto, and Prosecuting Attorney Randy Gaylord

The Council asked Mr. Gaylord if charter amendments may be submitted to the voters in a special election instead of a general election. Mr. Gaylord will research the state law.

**2:59 PM PUBLIC COMMENT FOR FISH AND WILDLIFE HABITAT
CONSERVATION AREA (FWHCA) Section of the CRITICAL AREAS
ORDINANCE (CAO)**

Comments were offered by: Janet Alderton, Lisa Michaelson, Bill Wright, Jane Cable, Stephanie Buffum, Kyle Loring, Juan Bacigalupi, Gretchen Gubelman, Tim Blanchard, Jack Cory

The Council asked Shireene Hale, Planning Coordinator, for any comments on the conclusion of the Planning Commission's deliberations.

Council Member Updates & Discussion Items:

Legislative Priorities: Ms. Pratt reported on the two letters that were approved under correspondence from both the County Council and Town Council thanking Senator Murray and Representative Larsen for securing funding for Washington State Ferries.

Ms. Pratt gave an update on the Council's legislative priority to update the Flood Insurance Rate Maps.

Ms. Pratt also reported on the June 22nd Washington State Association of Counties Coastal Counties Caucus meeting and the presentation by Melissa Ferris, Department of Natural Resources' Derelict Vessel Removal Program.

Ferries/FAC/Intermodal: Mr. Rosenfeld reported that in September, the FAC will work with Washington State Ferries (WSF) to establish a public participation group regarding ferry reservations on San Juan Island. They would like to get the word out about the group. Mr. Rosenfeld also reported on the contract expiration in 2014 for a private parking that could potentially encourage more walk ons. WSF is interested in having information boards on the roads and highways that would offer public information on the ferry schedule and queue lines.

Budget Subcommittee: Mr. Fralick reported the committee continues to meet and will continue to review financial matters. He also reported that all subcommittee meetings (budget) are now noticed and the agenda contains closed sessions.

4:41 PM ADJOURNED

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on July 24, 2012. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.