

**SAN JUAN COUNTY (SJC), WASHINGTON
SPECIAL MEETING MINUTES – EARLY START
COUNTY COUNCIL
August 21, 2012**

Tuesday, August 21, 2012 – Legislative Hearing Room, Friday Harbor, WA

SPECIAL MEETING

9:04 AM **DISCUSSION & POSSIBLE ACTION:** Orcas Transfer Site Vendor Selection and Discussion of San Juan Site Vendor Selection Committee – Patty Miller, Chair; Russ Harvey, Public Works Operations Manager

Ms. Miller opened the special meeting and introduced Russ Harvey. Ms. Miller explained the Vendor Selection Committee process. The Council began discussion and assessment of the committee's comments.

Moved by Mr. Fralick, seconded by Mr. Peterson, to direct the County Administrator Pro Tem to request staff to enter into contract negotiations with Cimmaron Enterprises and Orcas Recycling Services to satisfy the requirements of the RFP; the contract negotiations should take into account the perceived strengths of both organizations (1. Cimarron Enterprises for routine high volume waste, processing and transportation), (2. Orcas Recycling Services for local recycle operations and the pursuit of the county's longer term goals to reduce waste and enhance local recycle and reuse); and as appropriate, these negotiations should reserve some portion of the site for future use by the county for other solid waste services. VOTE: 5-1 (Pratt opposed) MOTION CARRIED

9:30 AM Adjourn Special Meeting

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

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to excuse Bob Jean from the afternoon session today. ALL AYES, MOTION CARRIED

Approval of Minutes (July 23 & 24, 2012 and August 7, 2012):

The approval of the Minutes of July 23 and 24, 2012 is postponed to August 28, 2012.

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to approve the Minutes of August 7, 2012. ALL AYES, MOTION

Approval of Consent Agenda for August 21, 2012:

A. Resolutions:

B. Ordinances

C. Contracts/Agreements:

D. Budget Items:

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

- Warrants #113923-113952 in the amount of \$153,318.43 for Public Works
- Warrants #113869-113922 in the amount of \$46,513.50 for County Claims
- Interfund Transfers for the month of July, 2012
- Payroll expenditures for pay period ending 7/24/12

- Warrants #114023-114152 in the amount of \$118,252.62 for County Claims
- Warrants #114153-114192 in the amount of \$43,594.46 for Public Works Claims
- EFT #08082012 in the amount of \$2,173.99 for Parks EFT

- D. Personnel
- E. Appointments
- F. Correspondence:
- G. Miscellaneous:
- H. Bid Openings:

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve the Consent Agenda of August 21, 2012. ALL AYES, MOTION CARRIED

Approval of Correspondence none

Proclamation

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve a Proclamation recognizing Constitution Week. ALL AYES, MOTION CARRIED

There were introductions of attendees from the Daughters and Sons of the American Revolution. Those attendees were: Jean Thomas, Doug Nelson, Bob O'Neill, Sue Rich, and Sharon Fishaut.

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve a Proclamation recognizing Henry M. Robert Day. ALL AYES, MOTION CARRIED

Citizen's Access Time: The following citizens offered comments: **Orcas Island:** Sadie Bailey, Walt Corbin; **Lopez Island:** Dan Post, Cynthia Dilling, Becky Hellman; **San Juan Island:** Hec Cyre, San Olson (from Orcas Island), and Richard Durhack

10:38 AM PUBLIC HEARINGS (continued from July 23, public comment accepted):

1. Uplands Fish and Wildlife Habitat Conservation Areas Section and Marine Fish and Wildlife Habitat Conservation Areas, (FWHCA) amending San Juan County Code Sections 18.10.040, 18.20.101, 18.20.080, 18.20.110, 18.20.140, 18.20.170, 18.20.190, 18.20.230 and 18.30.160 – Shireene Hale, Planning Coordinator; Jon Cain, Deputy Prosecuting Attorney

Present: Full Council, Interim County Administrator Pro Tem Bob Jean, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See

Ms. Miller opened the public hearing which is continued from July 23 and stated public comment will be taken today. Ms. Hale reviewed the requirements for regulations of the Fish and Wildlife Habitat Conservation Areas and reviewed a comparison of the existing and proposed regulations for critical areas. Mr. Cain offered comments regarding best available science and departing from science-based recommendations. Mr. Cain answered questions from the Council.

Public comments were offered by: **Lopez Island** – George Lawson; **Orcas Island** - Tina Whitman, Ralph Gutschmidt, Sadie Bailey; **San Juan Island** – Pat O’Day, Daryl Williams, Marc Florenza, Dave Cable, Steve Revella, San Olson, Lisa Michaelson, Jane Cable, Stephanie Buffum, Ed Kilduff, Alex Gavora, Frank Penwell, Peter Kilpatrick, David Dehlendorf, Marsha Dawson, Bart Dawson, Deirdra Morris, Don Pollard, Bill Wright, Tim Blanchard

12:10 PM RECESS FOR LUNCH

1:04 PM (continued public hearing on FWHCA)

Ms. Miller closed public testimony on FWHCA with the right to reopen.

Moved by Ms. Pratt, seconded by Mr. Stephens, to continue the public hearing to adopt an Ordinance regarding Critical Area Regulations for Fish and Wildlife Habitat Conservation Areas, to Tuesday, August 28 at 10:15 am. ALL AYES, MOTION CARRIED

Moved by Mr. Stephens, seconded by Ms. Pratt, to excuse Richard Fralick from today’s meeting at 2:00 pm. ALL AYES, MOTION CARRIED

1:07 PM DISCUSSION: Improving Shoreline Permitting Effectiveness Grant
Linda Lyshall, Marine Program Coordinator; Barbara Rosenkotter,
Salmon Recovery Coordinator

Ms. Lyshall and Ms. Rosenkotter explained the grant, what protections would be offered, explained the funding sources, and answered questions from the Council.

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve receipt of the Improving Shoreline Permitting Effectiveness Grant, provided that the majority of the grant is used primarily to improve the shoreline development application process for our citizens. ALL AYES, MOTION CARRIED

1:20 PM RESUME PUBLIC HEARINGS

2. To adopt an Ordinance Regarding Critical Area Regulations for Wetlands, Amending San Juan County Code Sections 18.10.040, 18.20.010, 18.20.020, 18.20.040, 18.20.080, 18.20.090, 18.20.120, 18.20.130, 18.20.140, 18.20.170, 18.20.180, 18.20.190, 18.20.200, 18.20.230, 18.30.150, and 18.60.170; and repealing appendices A-C of SJCC 18.30.150 - Shireene Hale, Planning Coordinator; Jon Cain, Deputy Prosecuting Attorney

Present: Full Council, Pro Tem Frank Mulcahy, Clerk to the Council
Ingrid Gabriel, Deputy Clerk Maureen See

Ms. Miller re-opened the public hearing and stated that public comment would be accepted.
Ms. Hale reviewed the comparisons of the existing and proposed regulations for critical areas.

Ms. Miller opened for public comment. Public comments were offered by: **San Juan Island** - Richard Durhack, Frank Penwell, Stephanie Buffum, Bill Wright, Ed Kilduff, Tim Blanchard, David Dehlendorf; **Orcas Island** – Sadie Bailey

Ms. Miller closed public testimony with the right to reopen.

Ms. Hale will expand the comparison list between the existing and new regulations she provided, and she will prioritize the changes and add more specific detail to the tables.

Mr. Cain discussed exempting small wetlands and the criteria for including the best available science in developing policies and development regulations. Ms. Hale and Mr. Cain answered questions from the Council.

Moved by Mr. Peterson, seconded by Mr. Stephens, to continue this public hearing to adopt an Ordinance on the Wetlands Section of the Critical Area Regulations to August 28, 10:15 am. VOTE: 5-0 (Fralick excused) MOTION CARRIED

2:56 PM **COUNTY ADMINISTRATOR ITEMS:** Consider Proposed Ordinances Modifying the Solid Waste Excise Tax (2nd Touch) – Ed Hale, Utilities Manager; Jon Cain, Deputy Prosecuting Attorney

Mr. Hale gave an update on the consideration of various solid waste policies related to the use, application and rate of excise tax charged by the Solid Waste Disposal District.

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to bring an Ordinance for the San Juan County General Solid Waste Disposal District to amend Ordinance W-1-1996 and increasing the Excise Tax and amending the use of the Excise Tax for the Solid Waste District Purposes to public hearing on Tuesday, September 11, 2012 at 10:15 am. VOTE 5-0 (Fralick excused), MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to bring an Ordinance for the Lopez Solid Waste Disposal District to amend Ordinance W-1-1996 and increasing the Excise Tax and amending the Use of the Excise Tax for the Solid Waste District Purposes to public hearing on Tuesday, September 11, 2012 at 10:15 am. VOTE: 5-0 (Fralick excused) MOTION CARRIED

3:07 PM **ACTION:** Approval of Scenic Byway Corridor Management Plan (public comment accepted) – Liz Illg, Coordinator

Public Comments were offered by: Tim Blanchard, Sharon Kivisto, Deborah Hopkins

Ms. Illg answered questions from the Council.

Moved by Mr. Peterson, seconded by Ms. Pratt, to approve the San Juan Islands Scenic Byway Corridor Management Plan. VOTE: 5-0 (Fralick excused), MOTION CARRIED

3:32 PM **DISCUSSION:** Council’s 2013 Legislative Priorities (public comment accepted) – Lovel Pratt, Council Member

Public Comments were offered by: Rick Hughes, Sharon Kivisto

Council reviewed the current draft Resolution Regarding Legislative Priorities for the 2013 Legislative Priorities

4:27 PM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:

Legislative Priorities: Ms. Pratt reported that she attended a July 26 Farmhouse Gang Meeting. There was a presentation from Senator Mary Margaret Haugen who asked the Farmhouse Gang to help identify regional transportation priorities for the transportation revenue package that will be considered in the upcoming Legislative Session. Ms. Pratt stressed the importance of Council participation at these meetings. Mr. Rosenfeld volunteered to represent the Council at future Farmhouse Gang meetings.

Ferries/FAC/Intermodal: Mr. Rosenfeld reported that the Town of Friday Harbor asked him if we had a County priority list. The FAC met on August 8 and a substantial part of the meeting was focused on the recent weekend ferry breakdown. Ferry workers and agents did what they could, some of the agent staff worked 13-17 straight hours attempting to resolve the crisis. The FAC is trying to convince Washington State Ferries (WSF) to release more update information on the problems when they occur, but WSF is resistant to releasing any information they're not sure about. Some key people were on vacation during the crisis. Mr. Rosenfeld said WSF doesn't have good back-up for some key positions. WSF realizes the existing contingency plan did not work well during peak summer demand and plans to do an update.

The Public Participation Plan for reservations had applicants for the 15-20 volunteer committee. The FAC made their recommendations and gave WSF the full list for their determination (Jamie Stephens volunteered).

General Government Subcommittee: Mr. Peterson had nothing to report at this time.

Solid Waste Subcommittee: Ms. Miller had nothing to report at this time.

Additional Updates and Discussion Items:

Mr. Stephens reported that the Solid Waste Advisory Committee (SWAC) will meet on Thursday, August 23 to review the Solid and Hazardous Waste Management Plan.

The Lodging Tax Advisory Committee (LTAC) will also meet on Thursday, August 23 to give a final review to the Promotions RFP.

4:35 PM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Ms. Gabriel reminded the Council that there will be a Special Meeting on Monday, August 27 followed by a regular meeting on August 28.

Ms. See asked the Council to consider a request from the Building Advisory Committee (BAC). A current member whose term expires in December 2012 has missed over three consecutive meetings. Ms. See advised the Interim County Administrator Pro Tem and the Council Chair. In accordance with Ordinance 11-2008, “the County Council may elect to treat such absences as the member’s resignation.” The Council agreed by consensus to treat the BAC member’s absence as a resignation, and the committee can proceed with replacement.

Review Agendas:

The adoption of the Resolution Regarding Legislative Priorities for the 2013 Legislative Session will be put on a placeholder list for a future agenda.

A brief discussion commenced on the 18.30 UDC Amendments by Mr. Peterson involving Consignment Treasures.

4:50 PM ADJOURNED

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on August 28, 2012. The original document is retained in the Council’s permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.