

SAN JUAN COUNTY (SJC), WASHINGTON
MEETING MINUTES
COUNTY COUNCIL
September 20, 2011

Tuesday, September 20, 2011 - Council Hearing Room, Legislative Building, Friday Harbor

10:02 AM CALL TO ORDER

Chair Pratt announced that this was the first Council meeting using videoconferencing. She thanked the Orcas Library and Lopez Library staff, the Council Staff and Administration, and Information Services Department for their work in making videoconferencing available.

Council Chair Lovel Pratt called the meeting to order at 10:02 a.m. Council Members present: Howard (Howie) Rosenfeld, Rich Peterson, Richard Fralick, Patty Miller and Jamie Stephens; County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public were present.

Ms. Pratt reminded the public that video recordings of Council meetings held in the Council Legislative Hearing Room are available for on-line viewing via live-streaming on the day of the meeting and can be viewed the following day on the Council website. The current video and three months of prior videos can be accessed by going to the San Juan County website www.sanjuanco.com and selecting the County Council tab.

Approval of Minutes (September 12 & 13, 2011):

Moved by Ms. Miller, seconded by Mr. Peterson, to approve the Minutes of September 12, 2011. ALL AYES, MOTION CARRIED

Moved by Ms. Miller, seconded by Mr. Rosenfeld, to approve the Minutes of September 13, 2011. ALL AYES, MOTION CARRIED

Approval of Consent Agenda for September 20, 2011:

A. Resolutions:

Ordinances:

B. Contracts/Agreements :

A Certificate Designating Authorized Agency Representatives re: Odlin Park Renovation

C. Budget Items:

The Auditor's office requests approval for the following warrants:

- Warrant #100089 in the amount of \$1,695.74 for SMP mailing
- Interfund Transfers for the month of August 2011
- Interfund Transfers for the month of July 2011

D. Personnel:

E. Appointments

F. Correspondence:

G. Miscellaneous:

H. Bid Openings:

Moved by Mr. Rosenfeld, seconded by Mr. Stephens, to approve the Consent Agenda of September 20, 2011. ALL AYES, MOTION CARRIED

Approval of Correspondence: none

10:10 AM Ferries/FAC/Intermodal: Mr. Rosenfeld reported that there was report in the press about changing the vehicle lengths. The remark, which was not true, influenced the Transportation Commission which will result in painting lines to measure vehicles on Orcas and Lopez. Sydney traffic has been increasing. There is a plan to implement the grant obtained by Representative Larsen for terminal passenger traffic improvements in Friday Harbor. The engineering is being by DOT engineers in Spokane because WSF no longer has terminal engineering. The improvements will result in loss of parking in Friday Harbor.

10:14 AM Citizens Access:

San Juan Island public comments were offered by: Janet Alderton, Tina Whitman, Jack Cory

Orcas Island public comment was offered by: George Post

Lopez Island public comment was offered by: Dan Post

10:28 AM DISCUSSION: Redistricting (2nd Touch) – Milene Henley, Auditor; Allen Rosenberg, Chair Districting Committee; Barbara Bentley, Vice-Chair Districting Committee

Ms. Henley introduced the topic of redistricting and process of choosing a committee. Ms. Bentley gave a PowerPoint presentation on the required guidelines for redistricting, and process for achieving new district boundary maps. She explained the San Juan County Redistricting Committee Final Report (majority). Mr. Rosenberg presented the findings and recommendations from the Districting Committee Minority Report.

Orcas Island public comments were offered by: Velma Doty, Tony Ghazel

Lopez Island public comment was offered by: Carl Bender

San Juan Island public comments were offered by: Sharon Kivisto, Micki Brostrom

Ms. Henley summarized the actions needed by the Council to approve the Redistricting Committee's recommendations for a new redistricting plan.

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to move the consideration of the Redistricting Majority Map to public hearing on October 25, at 10:15 am, with one change to move one census block with 17 from Orcas East to Orcas West. (A friendly amendment was raised by Ms. Pratt to include consideration of both majority and minority reports in the motion which was declined by motion makers) VOTE: 5-1 (Pratt opposed), MOTION CARRIED

Videoconferencing was concluded.

11:25 AM COUNTY ADMINISTRATOR ITEMS: Pete Rose, County Administrator

1. Parks and Fair 2010 Historic Preservation Grant Report on Brann Cabin – Dona Wuthnow, Parks and Fair Director

Mr. Rose introduced the discussion of the Historic Preservation grant on the Brann Cabin. Ms. Wuthnow offered background information on the historical importance of the Brann Cabin, and the difficulties securing funding for the preservation. Ms. Wuthnow answered questions from the Council.

2. Report on June Oil Spill Drill – Brendon Cowan, Emergency Management Director

Mr. Cowan reported on the June Oil Spill Drill which was led by the United States Coast Guard, Washington State Department of Ecology, Canadian Coast Guard, Environment Canada, and a number of other agencies. He discussed strategies for handling the priorities involved in an oil spill as it applies to a potential major local disaster.

It was agreed to schedule more agenda time with Mr. Cowan for further discussion.

12:01 PM RECESS FOR LUNCH

1:07 PM DISCUSSION: Frequently Flooded and GeoHazard Areas Sections of the Critical Areas Ordinance (2nd Touch) – Janice Biletnikoff, Planner III; Jon Cain, Deputy Prosecuting Attorney

Ms. Biletnikoff and Mr. Cain reviewed the recommendations from the Planning Commission, and answered questions from the Council. After discussion, the following action took place:

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, on page 6 of 11, Section 2.SJCC 18.30.120, under B. Classification, to change the middle paragraph, third sentence, that ends with “measured over 10 feet” by adding vertical “increments across the development area.” ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, on page 7 of 11, under b. Any area with all three of the following characteristics: to change “ii. Pervious soil layers overlying semi-pervious to impervious soil layers.” ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Ms. Miller, on page 9 of 11, C 4. to remove the last sentence beginning with “Other provisions in this chapter” and adding to the last sentence “Additional requirements associated with bulkheads are found in additional sections in SJCC 18.30 and in 18.50.” ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Ms. Miller, on page 9 of 11, to amend C. Protection Standards. #4, to say “Additional requirements associated with bulkheads are found in other sections in SJCC 18.30 and in 18.50.” ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Ms. Miller, on page 9 of 11, under 18.30.130 Frequently Flooded Areas, A. Applicability, to add a finding “Because serious errors are known to exist in the FIRMS current as of this adoption, the FIRMS referenced in this ordinance shall refer to the most current versions as new maps become available.” ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded Ms. Miller, on page 9 of 11, to amend 18.30.130 A. Applicability, to read: “This section applies to all areas of special flood hazards within the jurisdiction of San Juan County as identified by the Federal Insurance Administration on its most current Flood Insurance Rate Maps (FIRMS) which are hereby adopted by reference and declared to be part of this code. The Director shall maintain the most current FIRMS on file in the Department. Where differences exist between the FIRMS and conditions in the field, conditions in the field shall control. “ ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Stephens, to move an Ordinance Regarding Critical Area Regulations for Geologically Hazardous Areas and Frequently flooded Areas; Amending San Juan county code Sections 18.10.040, 18.30.120 and 18.30.130 to public hearing on October 18, 2011, at 10:15 am. ALL AYES, MOTION CARRIED

2:22 PM DISCUSSION: General Section of the Critical Areas Ordinance (CAO) (1st Touch) – Shireene Hale, Planning Coordinator; Janice Biletnikoff, Planner III; Jon Cain, Deputy Prosecuting Attorney

Ms. Hale reviewed the amendments and regulations that apply to the General Section of the CAO with recommendations from the Planning Commission, and answered questions from the Council.

3:10 PM PRESENTATION: San Juan County Agricultural Strategic Action Plan – Agricultural Resources Committee (ARC) Coordinator Peggy Bill; Lopez Preserve Steward for the San Juan County Land Bank Tim Clark; Conservation Easement Steward for the San Juan Preservation Trust Katie Hover

Ms. Bill, Mr. Clark and Ms. Hover outlined the Strategic Action Plan which identifies key goals and recommendations for the preservation of priority farmland and strengthening of agriculture in San Juan County. This plan has been developed collaboratively by the San Juan County Agricultural Resources Committee, the San Juan County Land Bank, and the San Juan Preservation Trust through funding by a grant awarded by the Washington State Office of Farmland Preservation.

3:30 PM DISCUSSION: Posting Public Records Request (public comment accepted) – Council

The Council opened discussion on public records that included statistics on numbers of requests and the requesters. Communications Administrator Stan Matthews answered questions from the Council.

Public comments were offered by: Bill Wright, Dave Cable, Jane Cable

Mr. Matthews will compile sample formats for the collection of information of public records requests for the Council’s review.

4:29 PM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:

Legislative Priorities: Ms. Pratt reported on a draft of 2012 Federal and State Legislative Priorities and asked for Council input.

Budget Subcommittee: Mr. Fralick had nothing to report at this time.

General Government Subcommittee: Mr. Peterson reported that the committee is creating a preliminary list for the Charter Review Committee that will be brought to the Council for review.

Solid Waste Subcommittee: Ms. Miller reported that a report will be given at September 27 meeting on Orcas.

Additional Updates & Discussion Items:

1. Report on September 14 and 15 Islands Trust Council Meeting – Pratt, Stephens

Ms. Pratt reported on the meeting she attended with Mr. Stephens on Saltspring Island with the Islands Trust Council. The Green Shores Grant oil spill issues, and the ferry system were some of the topics discussed. Mr. Stephens reported on his discussions with the land use group.

2. Report on the September 16th AOC Meeting – Pratt, Peterson

Mr. Peterson reported on the 2011 Local Integrating Organization (LIO) Priority Strategies discussed at the September 16 meeting. Ms. Pratt reported that it was agreed to combine the LIO and the Marine Resources Committee Coordinator positions.

3. Hovee Report funding Update – Rosenfeld

The cost to San Juan County for the Hovee Report Update is \$2,500. There is a commitment from Town of Friday Harbor for \$500, Economic Development Council can offer \$625, The Visitors Bureau is considering a contribution as are the Chambers of Commerce. There was a discussion about the possibility of monies from the lodging tax reserves for the Update. The Council directed the County Administrator to explore revenue sources.

Moved by Mr. Rosenfeld, seconded Mr. Stephens, that San Juan County commit to \$1,000 or less to fund the Hovee Report Update. Mr. Fralick offered a friendly amendment to not allow the funds to come out of operating cash reserves. Both motion makers agreed to the friendly amendment. ALL AYES, MOTION CARRIED

Mr. Peterson reported on the ad hoc subcommittee's meeting with NW Wireless PCIA and OPALCO. One of issues raised by PCIA is that some of the draft ordinance contains material that can be legally challenged. The subcommittee would like to request that the Prosecuting Attorney evaluate the draft ordinance and advise if it meets with the provisions of the Telecommunications Act of 1996.

Mr. Rosenfeld asked if members of the Council would join in on the interview of an applicant for the Ferry Advisory Committee from Orcas. It was agreed that Richard Fralick and Patty Miller would join the interview along with Vice Chair Jim Corenman.

4:55 PM **CLOSED SESSION:** To discuss matters pertaining to collective bargaining pursuant to RCW 42.30.140(4)(b) – David Kelly, Deputy Director; Pamela Morais, Human Resources Manager

At 4:55, Ms. Pratt announced that the Council would be holding a **closed session** to discuss matters pertaining to collective bargaining pursuant to RCW 42.30.140(4)(b); estimated to last approximately 30 minutes. Present: Full Council, County Administrator Pete Rose, Human Resources Manager Pamela Morais, Deputy County Administrator David Kelley and Council Clerk Ingrid Gabriel. At 5:25, it was announced that the session would take an additional 10 minutes. The session ended at 5:32 for a total closed session time of 37 minutes.

Ms. Gabriel stepped out of the hearing room and announced that the Closed Session had ended. Ms. Pratt called the meeting back into order and adjourned the meeting.

No action was taken.

5:00 PM **ADJOURN AND SIGN DOCUMENTATON**

These Minutes were approved and signed on September 27, 2011. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.

