

MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
June 8, 2010 Special Meeting
Tuesday, June 8, 2010 - Council Hearing Room, Legislative Building, Friday Harbor

9:00 AM SPECIAL MEETING, EARLY START, CALL TO ORDER

Council Chair Richard Fralick called the meeting to order at 9:00 a.m. Council members present: Vice-Chair Lovel Pratt, Howard (Howie) Rosenfeld, Gene Knapp, Bob Myhr, and Rich Peterson, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public were present.

9:05 AM CRITICAL AREA ORDINANCE (CAO) Work Plan Public Comment:

Planning Coordinator Shireene Hale and County Administrator Pete Rose provided a summary of updates for the CAO. The following citizens provided comment: Stephanie Buffum, Dave Cable, Tim Blanchard, Janet Alderton, Bill Wright, Ida Forsythe, George Lawson, Vivian Burnett, Patty Miller.

There will be a joint workshop on Thursday, June 10, 2010, 8:45 am – 2:00 pm, with the County Council and Planning Commission at the District 3 Fire Station on Mullis St.

9:49 AM RECESS

10:01 AM Mr. Fralick reminded the public that video recordings of Council meetings held in the Council Legislative Hearing Room are available for on-line viewing the day after the meeting. The videos will be archived for the three previous months and can be accessed by going to the San Juan County website www.sanjuanco.com and selecting the County Council tab. Council staff is no longer able to provide DVDs of Council meetings. However downloads from which to burn DVDs with attached documents are now available by ordering directly from the website. A sheet with directions is available on the back table.

New Employee Introductions: Shireene Hale introduced new planning coordinator, Janice Biletnikoff

Citizen's Access Time: The following citizens provided comment: Carla Higginson, Greg Hertel, Duane Taylor, Bill Wright, Jane Cable, Sam Buck, Patty Miller.

11:10 AM CLERK UPDATE AND ADMINISTRATIVE MATTERS:
Clerk Ingrid Gabriel, Deputy Clerk Maureen See

Clerk Update: Ms. Gabriel reminded the Council that there will not be a meeting on June 15.

Committee Update: Ms. See provided information to the Council. The following action took place:

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to appoint Candace Jagel to the Agricultural Resource Committee, Position #10. ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Knapp, to reappoint Charles Binford, Sandra

Watters, and Michael Durland to the Deer Harbor Plan Review Committee. ALL AYES, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Knapp, to appoint Deborah Hopkins to the Ferry Advisory Committee as an Alternate. VOTE 5 AYES, 1 ABSTENTION (Myhr) MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to appoint Gary Franklin to the Housing Bank Commission, Position #5 At Large. ALL AYES, MOTION CARRIED

Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to change Mike Stolmeier's membership on the Lodging Tax Advisory Committee from Receiver to Contributor. ALL AYES, MOTION CARRIED

Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to appoint Kevin Loftus to the Lodging Tax Advisory Committee as a Receiver. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to reappoint Barbara Pesola to the Northwest Senior Services. ALL AYES, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Myhr, to reappoint William Agosta to the Noxious Weed Board, Area #1 San Juan South. ALL AYES, MOTION CARRIED

Moved by Mr. Myhr, seconded by Mr. Knapp, to appoint Patricia Ayers to the Veterans' Advisory Board. ALL AYES, MOTION CARRIED

Review and Approve Minutes May 25, 2010: The following action took place:

Moved by Mr. Peterson, seconded by Mr. Myhr, to approve the Minutes of May 25, 2010. ALL AYES, MOTION CARRIED

Review Agendas: Mr. Fralick led a discussion on moving Council meetings to other islands.

Review and Approve Consent Agenda: The following action took place:

Moved by Mr. Peterson, seconded by Mr. Myhr, to approve the Consent Agenda of June 8, 2010, as follows:

A. Resolutions:

A **Resolution** authorizing the Temporary Closure of Portions of North Beach Road and Prune Alley on Orcas Island and Bayshore Road on Lopez Island for various civic events.

A **Resolution** establishing a petty cash fund for the San Juan County Parks & Recreation Administration Office.

Ordinances:

B. Contracts/Agreements:

C. Budget Items:

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

- Warrant #79754 in the amount of \$2,500 for Veteran's Assistance

- Warrants #79755-79862 in the amount of \$82,835.94 for County Claims
- Warrants #79863-79907 in the amount of \$191,369.25 for Public Works Claims

D. Personnel:

E. Appointments

F. Correspondence:

Letter of thanks to Peter Dederich, Superintendent, San Juan Island National Historical Park for work on Mitchell Hill

G. Miscellaneous:

Proclamation Declaring June Safety Month

H. Bid Openings:

ALL AYES, MOTION CARRIED

Council Calendar Items: The next Ferry Advisory Committee meeting will be held on June 16.

10:49 AM PUBLIC HEARINGS:

1. Public Facilities Financing Assistance Program (PFFAP) Grant Selection for 2010 - County Administrator Pete Rose

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

Mr. Rose introduced the program and the applications for funding. After discussion, Mr. Fralick opened public testimony, Patty Miller offered comment, and public testimony was closed with the right to reopen. After deliberations, the following action took place:

Moved by Mr. Peterson, seconded by Mr. Myhr, to express the intent of the County Council to reserve approximately \$25,000 per year for Odlin Park Renovation debt service for a period of 10 years, beginning in 2011. MOTION WITHDRAWN

Moved by Mr. Peterson, seconded by Mr. Myhr to approve the award of:

- San Juan Public Works Department, \$70,763 for a project to increase the capacity of the storm sewer that serves Lopez Village;
- San Juan County Parks Department, \$50,000 for the second phase of renovation of Odlin Park and to help with local match of a state Recreation Conservation Office (RCO) grant;
- Town of Friday Harbor, \$40,250 toward replacing an existing 6" water main in Front Street from the intersection of Spring Street to its northwesterly terminus;
- San Juan County Fair, \$17,471 to finance the upgrade of lighting in the main pavilion, on the San Juan County Fairgrounds;
- San Juan Public Works Engineering, \$32,000 for a project to develop the Eastsound Streetscape Plan.

ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Rosenfeld to require a 30 month expenditure period, with annual reports to the county to be written into the grant contracts. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Myhr, to express the intent of the County Council to reserve approximately \$25,000 per year for Odlin Park Renovation debt service for a period of 10 years, beginning in 2011. ALL AYES, MOTION CARRIED

2. To Consider an Ordinance Amending Chapter 2.104 of the County Code Regulating Procedures for the Lease of Rental of Real Property - Karen Vedder, Deputy Prosecuting Attorney
Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See

Ms. Vedder explained the background relating to the ordinance. Mr. Fralick opened public testimony, none was offered, public testimony was closed with the right to reopen. After deliberations, the following action took place:

Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to approve an Ordinance Amending Chapter 2.104 of the County Code Regulating Procedures for the Lease or Rental of Real Property. ALL AYES, MOTION CARRIED

3. Warren Road Associates Amended Open Space Application – Julie Thompson, Associate Planner
Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See

Ms. Thompson gave the background on the application and amendment. Mr. Fralick opened public testimony, Greg Hertel offered comment, public testimony was closed with the right to reopen. After deliberations, the following action took place:

Moved by Mr. Myhr, seconded by Ms. Pratt, to approve POPNSP-09-0001, Revision to existing Open Space public benefit rating system. VOTE 5 AYES, 1 OPPOSED (Peterson), MOTION CARRIED

11:30 PM DISCUSSION: Recommendations of Lodging Tax Funding (LTAC) – Merritt Olsen and Brent Snow, LTAC Members

Mr. Snow, a member of the Lodging Tax Advisory Committee, explained how the committee decided upon their recommendations. Rick Hughes, representing Orcas Farmers Market, offered comment. After discussion, the following action took place:

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to approve the recommendation of the Lodging Tax Advisory Committee to award the 2011 Lodging Tax Facilities Grants as follows:

- 1) Lopez Historical Society \$21,000; 2) American Legion Post (Museum) \$2,500; 3) San Juan County Fair \$25,000; 4) Lopez Chamber of Commerce \$3,000; 5) Performing Arts Centers (San Juan, Lopez and Orcas Islands) \$82,200; 6) Orcas Historical Museum \$21,000; 7) San Juan Island Int'l Documentary Film Festival \$5,000; 8) San Juan

Historical Museum \$21,000; 10) County Parks \$133,000; 11) The Funhouse \$1,300; Total Grants: \$315,000. VOTE 5-1 (Pratt opposed), MOTION CARRIED

12:12 PM RECESS FOR LUNCH

1:10 PM PRESENTATION: Kwiaht and the Wild Fish Conservancy Results Stream Inventory and Fish Surveys in the County – Mary Lou White of the Wild Fish Conservancy; Russel Barsh, Executive Director of Kwiaht

Mary Lou White of the Wild Fish Conservancy gave the first part of the presentation. Mr. Barsh continued the presentation regarding stream mapping.

1:30 PM COUNTY ADMINISTRATOR ITEMS:

Moved by Mr. Myhr, seconded by Ms. Pratt, to appoint John Manning as Administrator Pro Tem for June 12 through June 17, 2010. ALL AYES, MOTION CARRIED

Critical Area Ordinance Work Plan Discussion – Shireene Hale, Planning Coordinator

Discussion on the Critical Area Regulations Update & Public Participation Plan.

Moved by Mr. Myhr, seconded by Mr. Knapp, to move forward with this work plan, as modified today, and continue the discussion in our meeting with the Planning Commission on June 10, 2010, and at that time finalize our recommendations on the plan. VOTE 5-0 (Mr. Rosenfeld stepped out of the room). MOTION CARRIED

2:10 PM DISCUSSION: 2010 Budget Reduction Ordinance (2nd touch) – Milene Henley, Auditor

After discussion, the following action took place:

Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to schedule a Public Hearing for June 29, 2010 at 10:45 am, to consider an ordinance amending the adopted 2010 budget as outlined in the table presented today. ALL AYES, MOTION CARRIED

2:19 PM Executive Session: To discuss with legal counsel matters relating to pending and potential litigation as provided for in RCW 42.30.110(1)(i) – Randall Gaylord, Prosecuting Attorney. Also present: Full Council, County Administrator Pete Rose, Public Works Director Jon Shannon, Clerk to the Council Ingrid Gabriel.

Mr. Fralick announced an executive session at 2:19 PM to last 20 minutes. The meeting ended at 2:40 PM, for a total of 20 minutes. No action was taken.

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

2:48 PM Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to grant a waiver to allow Adina Cunningham to represent the Town of Friday Harbor relating to the amendment of the 1994 lease agreement for the San Juan Island Transfer Station. **ALL AYES, MOTION CARRIED**

2:50 PM **DISCUSSION:** Solid Waste Discussion – Jon Shannon, Public Works Director

After discussion, the following action took place:

Moved by Ms. Pratt to accept the Town of Friday Harbor offer to build a cover over the San Juan tipping floor; to convert the annual lease to a commercial value that includes facility costs and new building leaseback; to accept process water outside the new building as a County cost responsibility; to accept cost responsibility for damage to the new building above normal wear and tear; and to accept November 30, 2014 as the ending date for the facility lease unless lengthened by separate negotiation at a later time; and to authorize the previously identified team to negotiate a final lease amendment and bring it to the County Council for adoption as soon as practical. NO SECOND, MOTION NOT CARRIED

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to accept the Town of Friday Harbor offer to build a cover over the San Juan tipping floor; to convert the annual lease to a commercial value that includes facility costs and new building leaseback; to accept process water outside the new building as a County cost responsibility; to accept cost responsibility for damage to the new building above normal wear and tear; and to accept November 30, 2014 as the ending date for the facility lease unless lengthened by separate negotiation at a later time; and to authorize the previously identified team to negotiate a final lease amendment and bring it to the County Council for adoption as soon as practical. VOTE 5-1 (Pratt opposed) MOTION CARRIED

Ms. Pratt asked to have the record show that she supports the previous motion with the exception of the line: “to accept process water outside the new building as a County cost responsibility.”

Moved by Mr. Peterson, seconded by Ms. Pratt, to accept the solid waste review work plan subject to modification. ALL AYES, MOTION CARRIED

3:37 AM **COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:**

Ferries/FAC/Intermodal: Mr. Rosenfeld gave an update.

Budget subcommittee: Mr. Fralick gave a brief overview of the county budget, a full presentation will be held on June 29, 2010.

General Government Subcommittee: Mr. Knapp gave a report.

3:49 PM **Closed Session:** To consider matters pertaining to collective bargaining

pursuant to RCW 42.30.140(4) – Human Resource Manager Pamela Morais,
Also present: Full Council, County Administrator Pete Rose, Deputy Prosecuting
Attorney Karen Vedder, Auditor Milene Henley.

Mr. Fralick announced an executive session at 3:49 PM to last 45 minutes. The meeting ended at 4:48 PM for a total of 59 minutes. No action was taken.

Ms. Gabriel stepped out of the hearing room and announced that the closed session had ended.

4:45 PM ADJOURN AND SIGN DOCUMENTATION

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These Minutes were approved and signed on June 22, 2010. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.