

**MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
November 30, 2010**

Tuesday, November 30, 2010 - Council Hearing Room, Legislative Building, Friday Harbor

9:02 AM CALL TO ORDER – EARLY START

Council Chair Richard Fralick called the meeting to order at 9:02 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.

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.

Downloads from which to burn DVDs of meetings as well as attached documents are now available by ordering directly from the website. A sheet with directions is available on the back table.

Because of the demands on our staff's time, we ask that you please take advantage of the online service if at all possible. For those who are unable to download and burn due to technological limitations, our staff has a limited capacity to produce copies of the video on USB memory sticks. The cost is \$20 each.

New Employee Introduction: Assessor Charles Zalmanek introduced the new Appraiser, Liz Hance.

Citizens Access: The following citizens submitted comments: Marc Forlenza, Michelle Loftus Peggy Bill, Cathy Cavanaugh, Phyllis Morrison, Robin Hirsch, Victoria Compton

9:15 AM Clerk Update and Administrative Matters – Clerk Ingrid Gabriel, Deputy Clerk Maureen See

Ms. Gabriel reminded the Council that the next date available for a public hearing is January 4. She also noted that there is a draft letter for Council approval addressed to Governor Gregoire. Next Tuesday, December 7, we will be celebrating Employee Recognition Day.

Committee Update: Ms. See gave a committee update. After discussion, the following action took place:

Moved by Mr. Fralick, seconded by Mr. Knapp, to appoint Donna Riordan to the Orcas Island Library Board of Trustees, Position #3. ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Knapp, to select Margaret Payne as an approved alternate for future appointments to the Orcas Island Library Board of Trustees. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to appoint Bob Levinson to the

Storm Water Advisory Committee as an At Large Member. ALL AYES, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to appoint Susan Key to the Storm Water Advisory Committee, as a Friday Harbor representative, District 3. . ALL AYES, MOTION CARRIED

Approval of Minutes of November 16, 2010:

Moved by Mr. Peterson, seconded by Mr. Myhr, to approve the Minutes of November 16, 2010. ALL AYES, MOTION CARRIED

Review Agendas:

It was agreed that the matter of Reet 2 be scheduled for a future agenda when new Council Members will have a chance to provide input.

Solid Waste discussion including parcel tax, privatization/RFP will be held on December 14.

Review and Approve Consent Agenda:

A. Resolutions:

A Resolution to Adopt Parks, Trails and Natural Areas Plan

A Resolution Regarding Accountability Oversight Committee (AOC) and Authority of Its Council Representatives

A Resolution Accepting Easement for the A Street to Main Street Drainage Improvement Project to be Used for Underground Storm Water Conveyance, Bayview Properties, LLC

A Resolution Accepting Easement for the A Street to Main Street Drainage Improvement Project to be

used for Underground Storm Water Conveyance, Craig Martin Nelson

Ordinances:

B. Contracts/Agreements:

C. Budget Items:

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

- EFT #11102010 in the amount of \$365.63 for Parks October Sales Tax
- Warrants #86876-86991 in the amount \$83,495.82 for County Claims
- Warrants #86992-87054 in the amount of \$77,502.25 for Public Works
- Payroll expenditures and benefit expenditures for October
- Warrants #87316-87406 in the amount of \$54,093.32 for County Claims
- Warrants #87407-87442 in the amount of \$186,352.87 for Public Works
- Warrants #87297-87315 in the amount of \$6,449.72 for Medical Reimbursements

D. Personnel:

E. Appointments

F. Correspondence:

Letter Congratulating Lopez Community Land Trust for Winning the 2010 Home Depot Award in Affordable Housing

G. Miscellaneous:

Approval of Housing Bank Commission's Request for Emergency Rental Assistance in the amounts of: \$6000 to Lopez Island Family Resource Center; \$6000 to OPAL Community Land Trust; \$13,000 to San Juan Island Family Resource Center
H. Bid Openings:

Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to approve the Consent Agenda of November 30, 2010. ALL AYES, MOTION CARRIED

Review Council Calendar Items:

Review 2011 Calendar: Council discussed the upcoming calendar and made adjustments and changes.

9:25 AM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS

Ferries/FAC/Intermodal: Mr. Rosenfeld reported on various Ferry Advisory Committee and Executive Committee meetings in November. The latest review suggests that the spring schedule will remain relatively the same as winter. The proposed reductions indicate bigger problems in regard to services. There will be an Executive Committee meeting in Olympia on December 10 which Council encouraged Mr. Rosenfeld to attend.

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

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

Legislative Priorities:

Ms. Pratt introduced a letter to the Governor regarding support for the Puget Sound Acquisition and Restoration (PSAR) biennial capital budget request. After discussion, it was agreed to ask Barbara Rosenkotter, Lead Entity Coordinator for Salmon Recovery, to answer some funding questions. The matter will be continued to the afternoon.

Ms. Pratt asked the Council if they would agree in concept to sending joint letters relating to oil spill priorities from the Chair of the Islands Trust and the Chair of the Council. Council agreed in principle.

Ms. Pratt also reported that the Islands Trust has scheduled their June, 2011 meeting on Denman Island. Their Fall meeting is scheduled for September 13-15 on Salt Spring Island. The Council agreed that it would be possible to attend the Fall meeting.

Additional Updates & Discussion Items: none

10:07 AM COUNTY ADMINISTRATOR ITEMS: Pete Rose, County Administrator

Janice Biletnikoff, a Planner from Community Development and Planning (CD&P), informed the Council that no applications for the Community Development Block Grants (CDBG) were received by CD&P. Notice of the CDBG were published on October 15, 2010, with a deadline of November 3, 2010.

1. Discussion of Ordinance Amending Supplemental Appropriations (1stTouch) – County Administrator Pete Rose; Auditor Milene Henley

Ms. Henley introduced the supplemental and emergency budget appropriations to the 2010 budget as currently adopted. Utilities manager Ed Hale responded to questions regarding the Storm Water Capital fund monitoring.

The public hearing is scheduled on December 7.

2. Discussion of Ordinance Amending Emergency Appropriations (1st Touch) – County Administrator Pete Rose; Auditor Milene Henley

The public hearing is scheduled on December 7.

10:53 AM Break

3. 2011 Fees for Services Provided by the San Juan County Community Development and Planning Department and Public Works Department (2nd Touch) – County Administrator Pete Rose

Mr. Rose introduced the 2011 Proposed Fee changes. Public Works Director Jon Shannon and Utilities Manager Ed Hale answered questions from the Council.

This discussion will be continued to the afternoon.

11:01 AM PUBLIC HEARINGS:

1. To Consider an Ordinance of San Juan County Setting the Property Tax Levy for the County Roads Fund and to Consider a 1% Increase in the Levy for 2011 – County Administrator Pete Rose
Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Rose introduced the levy adoption ordinances including General Property Tax Levy, Road Tax Levy, and Conservation Futures Tax Levy. Mr. Rose asked that the Staff Report be made part of the record.

Mr. Fralick opened public testimony, none was taken, and public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to approve an Ordinance of San Juan County, Washington setting the General Property Tax Levy for County Roads Fund and consider the 1% increase in the Levy for 2011. ALL AYES, MOTION CARRIED

2. To Consider an Ordinance of San Juan County Setting the Property Tax Levy for the Land Conservation Futures Fund and to Consider a 1%

Increase in the Levy for 2011 Levy – County Administrator Pete Rose
Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Rose asked that the Staff Report be made part of the record.

Mr. Fralick opened public testimony, none was taken, and public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to approve an Ordinance of San Juan County, Washington, Setting the Property Tax Levy for Land Conservation Futures Fund and consider a 1% increase in the Levy for 2011. ALL AYES, MOTION CARRIED

3. To Consider Proposed Revenue Sources for 2011 and an Ordinance of San Juan County Setting a Property Tax Levy for the Current Expense Fund and to consider a 1% Increase in the Levy - County Administrator Pete Rose
Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Rose asked that the Staff Report be made part of the record.

Mr. Fralick opened public testimony, and no comments were taken. Public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Myhr, seconded by Mr. Rosenfeld, to approve an Ordinance of San Juan County, Washington, Setting the General Property Tax Levy for the Current Expense Fund for 2011 and consider 1% increase in the Levy for 2011. ALL AYES, MOTION CARRIED

4. To Consider an Ordinance Amending the San Juan County Code Chapter 16.50, Current Use Program, Adding a Public Benefit Rating System for Farm and Agricultural Conservation Land, and Updating Terminology to be Consistent with the County Charter and State Law - Deputy Prosecuting Attorney Karen Vedder
Present: Five Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Knapp recused himself at the start of this discussion.

Ms. Vedder introduced the proposed Ordinance and noted a variety of issues regarding the matter. Assessor Charles Zalmanek answered questions from the Council regarding the current use program. Associate Planner Lee McEnergy also answered questions from the Council.

Mr. Fralick opened public testimony, and comments were taken from: Greg Hertel, Peggy Bill, Tim Clark, Stephanie Buffum, Hector Cyre, Paul Dossett, Sharon Kivisto, David Dehlendorf, Jim Bergquist. Public testimony was closed with the right to reopen.

Mr. Zalmanek again answered questions posed by Council. Deliberations by the Council began. After a lengthy discussion, the following action took place:

Moved by Mr. Peterson, seconded by Mr. Fralick, to continue this public hearing until January 25, 2011, at 10:45 AM. ALL AYES, MOTION CARRIED

12:34 PM RECESS FOR LUNCH

1:19 PM RECOVERED

Discussion continued on the draft letter to Governor Gregoire regarding the Puget Sound Acquisition and Restoration (PSAR) Biennial Capital Budget Request for 2011-2013. Barbara Rosenkotter explained the structure of the requested funds, and its state and local allocations. After discussion, the following action took place:

Mr. Peterson requested a change in the last sentence of the first paragraph of the letter.

Moved by Mr. Myhr, with a change in language in first paragraph, seconded by Mr. Knapp, to approve the letter in support of Puget Sound Acquisition and Restoration Biennial Capital Budget Request for 2011-2013. ALL AYES, MOTION CARRIED

1:25 PM PUBLIC HEARINGS: (CONTINUED)

5. To Consider a Mini-Initiative on the Cannon at Odlin Park – Council Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Deputy Prosecuting Attorney Karen Vedder introduced the Mini-Initiative Measure 2010-2 before the Council.

Dan Post, author of the Mini-Initiative, explained the history of the Cannon at Odlin Park, and his process for developing the Mini-Initiative.

1:40 PM Mr. Myhr was excused from the meeting. There were five Council members remaining.

Mr. Fralick opened public testimony, and comments were taken from Stan Matthews, David Kelly, Dona Wuthnow, Jack Cory. Public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Rosenfeld, seconded by Mr. Knapp, to reject the mini-initiative. VOTE: 5-0, MOTION CARRIED

2:18 PM **Break**

2:24 PM 6. To Consider an Ordinance of San Juan County, Washington, Adopting an Annual Budget for the Year 2011 and Setting Forth the Estimated Revenues and Appropriations – County Administrator Pete Rose
Present: Five Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Rose introduced the 2011 Budget, providing a PowerPoint presentation of revenues and expenditures.

Mr. Fralick opened public testimony, and comments were taken from Susan Rosenberg, Paul Dossett, Hec Cyre, Jim Skoog, Greg Hertel, Sharon Kivisto, Jack Cory, Charles Zalmanek . After discussion, the following action took place:

Moved by Mr. Rosenfeld, seconded by Mr. Knapp, to fund the Assessor’s office an additional \$10,500. VOTE 2-3 (Peterson, Fralick, Pratt opposed) MOTION NOT CARRIED

Moved by Mr. Peterson, seconded by Ms. Pratt, to approve an ordinance Adopting an Annual Budget for 2011, Setting forth the Estimated Revenues and Appropriations. VOTE: 5-0 MOTION CARRIED

3:30 PM **Break**

3:40 PM **DISCUSSION:** Adoption of Interfund Loan Resolution – Milene Henley, Auditor

Prosecuting Attorney Randall Gaylord offered his opinion on the repayment of interfund loans.

Ms. Pratt stated that she will not support the interfund loans to the Solid Waste program given that, even though she has confidence that appropriate revenues for operating and debt costs will be identified in the future, at this time the Solid Waste program does not have the means to repay the full loan amount.

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to authorize a one-year Interfund Loan from the Mental Health Tax fund (fund 1282) to the Solid Waste Projects Fund (Fund 4017) in the amount of \$100,000. VOTE: 4-1 (Pratt opposed) MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to authorize a Three-Year Loan from the Equipment Rental & Revolving Fund (Fund 5011) to the Solid Waste Projects Fund (4017) in the amount of \$400,000. VOTE: 4-1 (Pratt opposed) MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to authorize a Two-Year Interfund Loan from the Public Facilities Improvement Fund (Fund 1951) to the Solid Waste Projects Fund (Fund 4017) in the amount of \$200,000. VOTE: 4-1 (Pratt opposed) MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to authorize a Three-Year Interfund Loan from the Auditor’s Document Preservation Fund (fund 1251) to the Solid Waste Projects Fund (Fund 4017) in the amount of \$200,000. VOTE: 4-1 (Pratt opposed) MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to authorize a Two-Year Interfund Loan from the Other Grants/Septic Loans fund (Fund 1921) to the Solid Waste Projects Fund (Fund 4017) in the amount of \$100,000. VOTE: 4-1 (Pratt opposed) MOTION CARRIED

Moved by Mr. Peterson, seconded by Ms. Pratt, to authorize a One-Year Interfund Loan from the Public Facilities Improvement fund (Fund 1951) to the Emergency Management Fund (Fund 1071) in the amount of \$100,000. VOTE: 5-0 MOTION CARRIED

Moved by Mr. Peterson, seconded by Ms. Pratt, to authorize a One-Year Interfund Loan from the Equipment Rental & Revolving Fund (Fund 5011) to the County Roads Fund (1121) in the amount of \$500,000. VOTE: 5-0 MOTION CARRIED

Moved by Mr. Peterson, seconded by Ms. Pratt, to authorize a Three-Year Interfund Loan from the Public Facilities Improvement Fund (Fund 1951) to the Capital Improvement Fund (Fund 1261) in the amount of \$140,000. VOTE: 5-0 MOTION CARRIED

4:00 PM COUNTY ADMINISTRATOR ITEMS: (continued)

3. 2011 Fees for Services Provided by the San Juan County Community Development and Planning Department and Public Works Department (2nd Touch) – Pete Rose, County Administrator

CDPD Director Rene Beliveau explained fee structures. Planning Coordinator Shireene Hale also answered questions posed by Council

Moved by Ms. Pratt, seconded by Mr. Peterson, to ask staff to research the appropriateness of current use monitoring fees. VOTE: 5-0 MOTION CARRIED

This matter will be brought forth for public hearing on December 7.

Discussion of fees for Solid Waste Handling Services Ordinance, volumetric recycling rates

Moved by Mr. Peterson, seconded by Ms. Pratt, to change Attachment B, Volumetric Recycling Option, on the Solid Waste Fee Schedule, to a three tier container/vehicle Option List. VOTE: 3-2 MOTION NOT CARRIED

Staff will work with the Option List for different wording.

4:39 PM ADJOURN AND SIGN DOCUMENTATION

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on November 30, 2010. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.
