

**MEETING MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
September 21 and September 22, 2009**

**Monday, September 21, 2009 - Council Hearing Room, Legislative Building, Friday Harbor**

**10:00 AM      CALL TO ORDER – REGULAR STAFF MEETING AND WORK SESSION**

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

**10:06 AM      CLERK UPDATE & ADMINISTRATIVE MATTERS:** Ingrid Gabriel, Clerk to the Council; Maureen See, Deputy Clerk

**Committees:** Ms. See reported on committee vacancies and applicants. The Council concurred to add several appointments to the Consent Agenda and schedule an interview with an applicant for the Planning Commission.

**Minutes and Agendas** were reviewed. Council discussion took place regarding motions made at the Public Hearing for the Ordinance Creating a General Fund Reserve Policy. Corrections were to be made and brought back to the Council after the lunch break.

Discussion followed regarding the AV Capture All system and the ongoing issues. George Johnson, Information Services Manager, joined the discussion. He reported that our sight seems to be the only sight having issues with the system. There may be several factors at work, including new staff. Until we have a working product, the contract is still in process. Mr. Fralick asked what it would take to make this a priority. Mr. Johnson responded by saying we will work with the company to figure out what it going wrong. Until we are satisfied, no payments will be made.

Review of the agendas followed, including a discussion on Tuesday's September 22 discussion with the Marine Resource Committee's recommendation on the NOAA rule. The Council expects Randall Gaylord, Prosecuting Attorney to be present at the discussion.

Brief discussion of the last week's Board of Health Meeting Introduction of an Ordinance on swine flu scheduled for September 28. Mr. Rose explained that this is the personnel policy side of the discussion that establishes authorities to enforce rules if an epidemic occurs.

Mr. Peterson urged the Council to study the material for the Puget Sound Local Integration Organization. The Puget Sound Partnership is launching its local implementation effort to work directly with local communities to integrate efforts to advance Action Agenda work that is important in local communities. Discussion continued as to how the County Council will be represented as well as other representation.

Mr. Myhr stated that the Puget Sound Partnership wants a San Juan County watershed, along with tribes, to create a committee that will be supportive and give direction for carrying out an action agenda. Ms. Pratt came away from the meeting believing that the County Council would appoint a steering committee that would work towards fulfilling an Action Agenda, a committee to create a committee.

The Council then began a discussion on legislative priorities, and what they may want to finalize before the Washington State Association of Counties (WASC) convention in November. It was suggested that the Council may wish to formulate a response to NOAA and the No Go Zone in a joint letter with the Town of Friday Harbor. It was decided that may well work to have greater impact, but County must proceed with their own letter as well. Written response is expected by October 27, 2009.

**10:48 AM      COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:**

**Ferries/FAC/Intermodal:** Mr. Rosenfeld sent a link from an article in the Kitsap Sun from State Transportation Commissioner, Dan O'Neil, who said that we were not appreciative enough of the money the state is putting into

the ferry system. The Joint Transportation Committee met and decided that the 2.5% yearly fare increase would continue through 2016. They will be considering two surcharges: 1) fuel surcharge; 2) a capital surcharge.

The demographics the State obtained from their public meetings calculated about 100 people attended, about 200 email comments. Bob Distler synthesized this information to say that the Transportation Commission heard from 300 people (form a system that serves one quarter of million people, .00012%).

**Budget Subcommittee:** Mr. Fralick reported that the budget Subcommittee met last week, and will continue the meeting next week.

**Legislative Priorities & Lobbying Efforts:** Mr. Peterson indicated the topic was already discussed today, and asked the Council to think of other priorities they might like to see on the list.

**General Government Subcommittee:** Mr. Knapp reported that the General Government Subcommittee met this am, had several things to decide. As the Prosecuting Attorney was unable to attend, the committee was not able to make decisions. One issue is the Peddling Ordinance in Eastsound, and the other is in regard to the Hearing Examiner.

**Additional Updates & Discussion Items:**

Mr. Myhr suggested that the Council may wish to look at the transient rentals, without permitting, and some consequential enforcement. Discussion followed including levies, ticketing, court process, violation of conditions, and the participation of the Council in the appeals process.

Mr. Fralick reported on a meeting he had with Island County staff regarding setback buffers, wetlands, and what other places are doing about working with the Department of Ecology. Mr. Fralick offered to share Island County's report with the Council

**11:08 AM Action: 2010 Annual Budget Road Program Adoption - Jon Shannon, Director of Public Works, John Van Lund, County Engineer**

Mr. Van Lund gave a Progress update: Fisherman Bay Road, virtually complete; chip seal next week; 10/19 ribbon cutting ceremony; Enchanted Forest Trail – Orcas pathway project nearly completed; Decatur Boat Ramp completed;

Mr. Myhr thanked Mr. Van Lund for the Fisherman Bay Road project and how well it worked. The citizens of Lopez were pleased with contractor, and if speed limit was reduced it would be even better. Mr. Myhr asked if it is possible to put in a marked crosswalk between the LOHO project and Post Office. Many seniors walk across the road, and marking it will improve the safety for all. There is increased traffic with the new market development;

Mr. Van Lund wished to draw the Council's attention to four important projects:

1. Point Lawrence Road Culvert Replacement: This will need to be build in 2011; there are funds in 2009 for the geo-technical work
- 2: Mt. Baker Road: The funds for this are committed, and if we fail to build by 2012, we will have to give the money back to CRAB.
3. Cattle Point Road Relocation Project: Even with federal funds the project will require a 20% match of 1.6 million.
4. Deer Harbor Bridge Replacement: Some repairs can be made that will give us 10 years on this Bridge. This requires stage construction and will be an expensive process. Estimated a cost of 1 million in 2005, but now could be 2 million.

Mr. Van Lund thanked the Public Works engineering staff and other professional staff for their good work; they are people who are vested in the community. It is important to keep good staff here for continuity.

Ms. Pratt asked about the Gravel Road Conversions, in particular #2 Schoolhouse Road. Mr. Shannon explained that #2 Schoolhouse Road was a priority on this list of conversions in order to lower maintenance costs and eliminate future maintenance. Ms Pratt asked if there were other means to reduce maintenance costs such as imposing weight limits on the road.

Mr. Shannon said the situation was driven by volume of traffic not weight.

**Moved by Fralick to approve the resolution adopting the 2010 annual Road Program. Seconded by Myhr. The motion carried with Pratt opposed.**

**11:30 AM COUNTY ADMINISTRATOR ITEMS:**

1. Introduction of Public Works Fee Schedule - Jon Shannon, Director of Public Works

Mr. Rose gave a brief background regarding fees on county roads that many counties charge for, San Juan County does not.

Mr. Shannon handed out a fee schedule indicating a Permit Type, Purpose and a Proposed Fee. He explained to the Council that the purpose was not to debate the numbers, but rather what is being proposed. San Juan County does not charge fees for franchises or utility work along the roads. Taxpayers at large pay the charge for utilities.

Mr. Myhr questioned if any fees exist currently. Mr. Shannon said parking for Roche Harbor and the cost of road vacations (and copies). Mr. Myhr further questioned if we need these fees to help cover costs. Mr. Rose replied because we give the rights away even though the county incurs costs on all these items.

Further discussion continued and it was a Council consensus to move forward with this discussion at a future date.

**11:53 AM EXECUTIVE SESSION:** Acquisition of Real Property pursuant to RCW 42.30.110

**12:00 PM RECESS FOR LUNCH**

**1:03 PM Reconvene**

Chair Peterson reopened the meeting with a continued discussion regarding the Minutes

Mr. Rosenfeld gave a suggestion to the Clerk regarding the creation of an actual calendar for the Council's use.

Mr. Fralick asked that his name be listed with all meetings of the Eastsound Plan Review Committee. He also requested that he be the liaison for the Deer Harbor Plan Review Committee for the second Wednesday of each month.

**1:05 PM DISCUSSION: Budget Review - Introduction, Pete Rose, County Administrator**

Mr. Rose gave a brief introduction to the Budget Review, thanking the Auditor, Deputy Auditor, Debbie Emery, and Stan Matthews for their hard work in getting us to this point in time. There were technical difficulties with the Eden program. This is a precarious budget with little margin for error.

The following reports were made:

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**Restricted Funds:** Milene Henley, Auditor

1)Veterans Relief, 2) Dog License, 3) Multipurpose Facilities, 4) Lodging Tax, 5) Auditor's Document Preservation, 6) Crime Victims, 7) Other Grants & Septic Loans, 8) Public Facilities Improvement, 9) Criminal Justice, 10) Bond Redemption, 11) Insurance Cumulative Reserve, 12) Civil Service, 13)General Administration, 14) Capital Improvements

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**General Government:** Auditor, Elections, Milene Henley, Auditor  
**General Government:** Administration & Board of Equalization, Adina Cunningham, Deputy Director  
**General Government:** Information Services, George Johnson, Manager  
**General Government:** County Council, Ingrid Gabriel, Clerk to the Council  
**General Government:** Treasurer, Tax Sale, Jan Sears, Treasurer  
**General Government:** Assessor, Charles Zalmanek

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**4:24 PM          ADJOURN**

**Tuesday, September 22, 2009 - Legislative Hearing Room, 55 Second Street, Friday Harbor, WA**

**10:00 AM          CALL TO ORDER**

Council Chair Peterson called the meeting to order at 10:00 a.m. and the flag salute was conducted. Council Members Howard (Howie) Rosenfeld, Gene Knapp, Bob Myhr, Lovel Pratt and Richard Fralick; County Administrator, Pete Rose; Clerk to the Council, Ingrid Gabriel; Deputy Clerk Maureen See; and interested members of the public were present.

**CITIZENS' ACCESS TIME**

Bill Wright, resident of San Juan Island addressed Council and asked them to respond to questions regarding the Consent Agenda of August 25, 2009. Specifically, the motion placed by Councilmember Pratt to appoint members to a Critical Area Ordinance and Shoreline Management Public Outreach Plan citizens' steering committee.

**COUNCIL ADMINISTRATIVE MATTERS**

**Minutes and Agendas:**

Minutes August 31 and September 1, 2009: Pratt moves for approval, Fralick seconds, carried  
Minutes September 15, 2009: Fralick moves for approval, Knapp seconds, carried.

**Amended Consent Agenda** (amended to include Committee appointments from September 21 meeting):  
Moved by Myhr, seconded by Rosenfeld, to approve the **Consent Agenda of September 22, 2009**, as follows:

- A. Resolutions/Ordinances:** (No items)
- B. Contracts/Agreements:** (No items)
- C. Budget Items:**

Approve 2009 Warrants signed by Auditor and County Administrator:  
Warrants #68593-98637 in the amount of \$169,909.54 for Public Works  
Warrants 68238-68340 in the amount of \$130,922.63 for County Claims

**E. Appointments:**

1. A letter reappointing Larry McNair to the Solid Waste Advisory Committee Position #9, the term to expire on August 31, 2012.
2. A letter appointing Mark Madsen to the San Juan Island Library Board of Trustees, Position #5, the term beginning immediately and expiring on December 31, 2012.
3. A letter appointing Kimball Sundberg to the Water Resources Management Committee, Position 2, District #1, the term expiring upon completion of the project.

**F. Correspondence:**

**Motion carried unanimously.**

## **COUNCIL MEMBER UPDATES**

**Ferries/FAC/Intermodal:** None

**Budget Subcommittee:** None

**10:20 AM DISCUSSION:** Recommendation from the Marine Resource Committee (MRC) on proposed National Oceanic and Atmospheric Administration (NOAA) West side Closure Rule, Mary Knackstedt, Coordinator

MRC put together a subcommittee from MRC to provide a report that addresses the following:

1. Describes rule
2. Provides overview of science
3. Points out community concerns
4. Concludes with proposal to give to NOAA to show a way to address concerns

Citizens' input from: Steve Revella (recreational fisherman, member of San Juan Anglers; Jonathan White (recreational boater, local builder); Tina Whitman (Friends of the San Juans and scientist); Ken Siebens (former director of FH Labs); Johannes Krieger, owner of (Crystal Seas Kayaks).

Johannes Krieger addresses Council and presents overview of MRC's Report and Recommendations to the County Council for NOAA's Proposed Vessel Rule dated September 22, 2009. To prepare report, MRC convened a subcommittee to analyze Rule, held two discussions with the full Committee and heard comments from community members. Subcommittee reflects diversity in San Juan Community; report aligns with management strategies for marine mammals described in San Juan Marine Stewardship Area Plan.

Krieger showed excerpts from PBS documentary, "Poisoned Waters".

NOAA Fisheries proposed vessel rule includes 3 elements:

1. Prohibits vessels from approaching any killer whale from any direction in the inland waters of Washington closer than 200 yards.
2. Requires vessels to keep clear of the whales' forward path within 400 yards of any killer whale throughout the inland waters of Washington State.
3. Prohibits vessels from entering a half-mile No-Go Zone from Mitchell Point to Eagle Point along the west side of San Juan Island from May 1 to September 30.

MRC supports elements 1 and 2 and urges implementation to protect whales from vessel-related impacts according to NOAA's proposed schedule. However, given significant concerns and community division, MRC does NOT support the third element – the "No-Go Zone" as it is written in the proposed rule.

Issuance of NOAA's proposed rules has motivated the community to organize to develop an integrated vessel plan for the SJs. MRC recommends that the Council ask NOAA to extend comment for one year to allow the SJ community to develop such a plan. MRC offers its assistance and support.

Peterson: Council plans to prepare a response to NOAA on September 29th at a Public Meeting. Next week will be the second step in the process of making a response, and Council hopes to meet with the Town after that to draft a joint recommendation.

Pratt: Expresses appreciation to MRC and subcommittee for hard work in preparing presentation. Refers to page 12 of report and asks if there is more specific information on working with private boat owners as the majority of vessel incidents seem to be taking place with private boat owners.

Krieger: Private boat owners make up  $\frac{3}{4}$  of all incidents. If there was true enforcement, that might make a difference. Information in publications might be helpful, but it's easy for the public not to know the rules.

Fralick: Is there good data on monitoring on past enforcement issues?

Krieger: Most detailed data from Straitwatch and Soundwatch. Haven't seen anything from DFW of NOAA or sheriff's department. Soundwatch keeps track and is current.

Rosenfeld: Was MRC able to get response from NOAA Marine Division?

Krieger: In touch with Lynne Barrie, but they keep their cards close; seem to be waiting to get input from public to proceed.

Rosenfeld: Have they released any plan to deal with first 2 elements [other factors that threaten whales], prey and toxicity?

Krieger: We encourage NOAA to merge the orcas recovery plan with the salmon recovery plan, but they are currently separate. A lot of work is being done on salmon recovery, but not directly addressed to orca salmon recovery.

Rosenfeld: How long do orcas spend on the west side?

Krieger: Orcas spend half the year in the SJIs and the amount of time in the zone is minor. Orcas cover 100 miles per day and the zone is only 12 miles wide. They may not even go into that area.

Rosenfeld: A "No-Go- Zone will increase vessel traffic in other areas and will just push the problem somewhere else.

Krieger: Agreed. And would data change as whales spend more time in other areas? Would it be accurate?

Rosenfeld: County has a lot to gain by taking a leadership role and can bring positive attention. But if regulations are being imposed that don't make sense, we also need to take a leadership role.

Myhr: Thanks MRC for quality detailed report. Hopes Council continues to work closely with MRC and Town to draft specific recommendation to NOAA addressing issues by October 27.

Peterson: Should enforcement be locally based?

Krieger: State and federal enforcement is based away from the Islands. To have a realistic presence, they need to be based in Friday Harbor.

Peterson: Lack of enforcement in private boating seems to be the problem. NOAA doesn't want to spend money on enforcement; closing zone entirely will intimidate boaters and enforcement will become unnecessary.

Krieger: Agreed. If zone is closed, the only ones really affected will be commercial kayakers. The park can close to access and private boaters and kayakers can still do their thing. If the 100 yard rule was enforced, it wouldn't matter where people were, they would just keep their distance.

Fralick: Do commercial whale watchers support element 1 & 2 of proposed rules?

Krieger: They can live with it, but are concerned NOAA will change distance rules in the future and if Canadians have to follow same rules. If not, it gives Canadian operators advantage.

Peterson: Asks Prosecuting Attorney to address Council.

Randy Gaylord, PA: Touches on three elements in No-Go Zone proposed rules:

1. Enforcement: On the State level, rules are enforced by the PA, the Sheriff, Department of Fish and Wildlife and other officers on the water. If NOAA adopts the rule under federal rulemaking authority, it has a whole system of enforcement under the Administrative Law process and the federal court system and is separate from the state.
2. Education: When the State adopted the 100 Yard Rule, it directed Washington State Parks to take the lead to educate boaters. PA has not seen anything come through re: education and is not aware of any existing program through licensing, etc.
3. Treaty Status: No-Go Zone is located in Haro Strait, a boundary strait between U.S. and Canada. All waters are subject to the Oregon Treaty of 1846 that requires that the Channel remain free and open to both Canada and the U.S. for navigation. NOAA has to take the Treaty into account and PA questions authority to establish a No-Go Zone. Treaty holds the same power as a constitution and federal law cannot interfere with the Treaty.

PA has written a letter to U.S. Congressman Rick Larsen suggesting that NOAA and whoever else is interested gets a memorandum from the U.S. Attorney that reflects the current status and rights. Recommended to contact the Department of State and Ottawa's counterpart to determine their intentions, and how the Treaty will be integrated with respect to a No-Go Zone.

Treaties trump state and federal statutes and grant rights. In answer to Fralick's question, exceptions for Native fishing must comply with treaties.

Pratt: How many tribes have treaty rights in San Juan County?

General answer of nine (9).

Knapp: Is state or federal enforcement more effective?

PA: Whichever arm can be on the water will be most effective.

Chair asks Sheriff Bill Cumming to address Council re: enforcement:

Cumming: Agrees with MRC – enforcement is the key and has been lacking due to resources. The commercial operators have adopted positive attitudes toward compliance. Suggests that we have active enforcement combined with education and lower fines. High fines provide incentive to fight ticket in court.

Education occurs through enforcement, word of mouth and information provided through boating licenses. There needs to be a local enforcement boat on the water 6 months out of the year, sun up to sundown, with 2 officers, a boat, maintenance on the boat and fuel. Any discussion of enforcement has to include a \$350-400K budget for funding. With even existing regulations, we do not have adequate enforcement.

Fralick: It would be helpful to us to have a letter to NOAA regarding cost of enforcement.

Cumming: Will send a letter.

Rosenfeld refers to Border Patrol operation in Port Angeles as providing possible enforcement. Cumming denies the likelihood of that occurring.

Myhr: Interagency cooperation is often to our benefit, but we may need more creative coordination. What is next step in drafting a response?

Rose: MRC report can seed discussion for next week.

Myhr: Suggests converting report into a concentrated or focused letter.

MRC's Knackstedt agrees to do so.

Pratt: Asks if PA's letter can be made available for public to see and be appropriated into discussion.

PA: Agrees to finalize for distribution.

**11:00 AM**      **DISCUSSION:** Council reviews results of Critical Areas Ordinance (CAO) Workshop of August 25th, 2009

Peterson: Hopes to accomplish a timeline on CAO and Shoreline Master Plan and let community know what Council is doing.

Myhr: CAO, Shoreline Master Plan (SMP) and Puget Sound Partnership and local Integrating Organization are all doing different things. It's useful to think how they intertwine. But our consideration should be related to those critical areas more than 200' from the shoreline. We've agreed to initiate review of SMP in January of 2010 and there will be critical areas coming up. Do we want a bright line separation at the 200' setback line or blend them at the present time?

Council discusses.

Pratt: Understands that we need to do the shoreline CAO update, as part of the comprehensive SMP update. Council decided to move ahead with Essential Public Facilities component as a discrete part piece. The previous Council in December 2008 unanimously endorsed the San Juan Initiative recommendation that included shoreline armoring (bulkheads), and to permit only if there is a threat to a home, septic system, etc. We need to look at this as a discrete piece of SMP update – similar to Essential Public Facilities.

Knapp: Asks for PA's opinion re law.

Rosenfeld: Asks what regulations are in force during timeline so people know what they can do until change occurs.

Fralick: Felt like workshop was good first step, but needed a lot of follow up to questions. Believes Council should meet 2012 due date for SMP and that it is a perfectly adequate timeline. Best available science is still a mystery and lacks coherence. Studies have not been put together in a coherent and cohesive fashion.

Concerned with buffer sizes as they interact with Eastsound UGA and what their impact will be on wetlands. May need to look at a variable buffer as opposed to fixed as a better approach.

Peterson: Workshop helped identify some issues and made others muddier, especially Department of Energy's (DOE) prescriptive buffers. But timeframe of February is doable. With respect to SMP, it seems to be clarifying itself in accordance with appellate decisions. Has some concerns over armoring, but has different concerns than Pratt and is glad to be taking the tour in October.

Fralick: On Woodman, was it the attorney that used it as precedence or the hearing officer?

PA: The hearing examiner.

Pratt: Introduces the Council's CAO and SMP workshop questions from public that didn't get answered at the workshop and asks how Council wants to answer.

Peterson: Believes answering questions individually is best.

Rosenfeld: Doesn't feel appropriate for Council to answer.

- Myhr: Agrees with Rosenfeld, but is happy to discuss questions with anyone.
- Knapp: Purpose of the workshop was to have experts answer raised questions.
- Pratt: Some questions were directed specifically at Council members.
- Fralick: Will attempt to answer questions individually
- Peterson: Suggests to give until October 7th to respond, then finish.
- PA: Tells Council that they can answer individually, but not to answer anything for the Council as a whole.  
  
Advises Council that first step in process is to identify science/technical information and separate it from pseudo-science.  
  
Second step is to identify policies and regulations.  
  
Discusses law re: prescriptive buffers and Declaratory Judgment Ruling in Citizens' Alliance for Property Rights (CAPR) v. Simms and King County. Court struck down blanket approach based on size and zoning alone. Approach to SMP should be to ask applicant to demonstrate how the property will interfere with Critical Areas functions and values on a parcel by parcel basis.  
  
Discusses FEMA Biological Opinion – by 2011 SJC will need to assess how current regulations protect habitat for endangered fish stocks and southern resident killer whales. Checklist for what needs to be included has not been offered or prepared to test current regs. A draft model ordinance was circulated and looks remarkably like that invalidated in CAPR/King County case.
- Pratt: Requests legal opinion if important for SJC to maintain its ability to participate in FEMA Flood Insurance and federal disaster relief as it relates to model ordinance.
- PA: Identification, mapping takes time. Also, original research.
- Rose: The Shoreline Protection Act covers within 200' buffer. We can do a CAO segment now, but it may be challenged in the future by saying the DOE is violating on WACS. Whatever critical areas you protect through SMP, you still have coordination requirements you must meet – minimum protections in CAO.  
  
Essential Public Facilities in CAO in shoreline was moved forward as a minor amendment at suggestion of DOE, not as a shoreline CAO segment.
- PA: Agrees.
- Hale, Planner: FEMA Model Ordinance would go in flood ordinance, not CAO, but it's not firm. PA says that they would have to be adopted as part of the Shoreline Ordinance.
- Peterson: Believes that Staff is giving strong recommendations not to push ahead and do CAO in one phase to complete in February and treat SMP separately and complete in 2012. Asks for a simple motion to complete the Upland CAO by February and treat the SMP update separately to be completed in 2012.
- Knapp: Moves (without text)
- Fralick: Seconds (without text)
- Rose: Question is whether there is interest in doing a separate Protection segment.

- Hale: Reminds Council of the need to negotiate contract and work plan with DOE and it would be helpful to know if we are approaching it in two pieces or one. How will we meet our September 2011 deadline to comply with biological opinion that precedes deadline for SMP? Maybe it can be dealt with through flood ordinance.
- Pratt: Does this motion say that the Council is not interested in addressing San Juan Initiative re: bulkheads separately?
- Rosenfeld: Can staff assist in what issues need to be addressed and when?
- Myhr: Could we address bulkheads in SMP?
- Hale: That's a question for DOE's attorney.
- Rose: Won't likely be accepted a minor amendment.
- PA: The SMP provision bulkheads is approved by DOE; we are not doing anything now that's inconsistent with the Shoreline Management Act. But if we need to do more as a matter of local concern, it is less certain how that will be accepted at an interim amendment.

**Peterson restates Motion:**

**It is the intention of the Council to handle the Critical Areas Ordinance Uplands Area separately from the Shoreline Management Plan. The Critical Areas Ordinance Uplands will be accomplished by February, 2010, and the Shoreline Master Plan will be accomplished by 2012.**

**Motion voted on and carried 4:2 (Pratt and Myhr opposed).**

- Hale: Clarifies negotiating contract with DOE. Intent is that we do SMP in one piece and it will take 2 – 3 years.

**12:00 PM RECESS FOR LUNCH**

**1:30 pm DISCUSSION:** Public Works Budget Review, Jon Shannon, Public Works Director

Public Works administers 7 funds; 5 are operating and 2 are strictly capital.

Required by CRAB to submit organizational chart to them for certificate of good practice and asks every year for Council to adopt organizational chart. Will talk about revenue and rates; rate settings are limited to utilities storm water and solid waste fund. Will also discuss opportunities and limitations including successes and challenges.

Summary of Budget: there is always some final tweaking of budget re: insurance costs and small revenue adjustments. The final budget may reflect small changes. Much uncertainty with solid waste fund which is deep in the red and warrants special attention.

**PUBLIC WORKS:** Facilities  
**PUBLIC WORKS:** Storm Water  
**PUBLIC WORKS:** Roads  
**PUBLIC WORKS:** Solid Waste  
**PUBLIC WORKS:** Equipment Rentals and Revolving Fund

**4:00 PM ADJOURN AND SIGN DOCUMENTATION:**

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**COUNTY COUNCIL  
SAN JUAN COUNTY, WASHINGTON**

\_\_\_\_\_  
Rich Peterson, Chair  
District 2, San Juan North

ATTEST: Clerk of the Council

\_\_\_\_\_  
Richard Fralick, Vice-Chair  
District 4, Orcas West/Waldron

By: \_\_\_\_\_  
Ingrid Gabriel, Clerk to the Council

Lovel Pratt, Member  
District 1, San Juan South

\_\_\_\_\_  
Howie Rosenfeld, Member  
District 3, Friday Harbor

\_\_\_\_\_  
Gene Knapp, Member  
District 5, Orcas East

\_\_\_\_\_  
Bob Myhr, Member  
District 6, Lopez/Shaw