

**MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
June 22 and 23, 2009**

Monday, June 22, 2009 – Special Meeting, Orcas Island American Legion Post 93, Eastsound, WA

10:00 AM CALL TO ORDER

Council Chair Peterson called the Special Session to order at 10:30 a.m. Council members Howard (Howie) Rosenfeld, Gene Knapp, Bob Myhr, Lovel Pratt, and Richard Fralick; County Administrator Pro Tempore, Ron Henrickson; Deputy Clerk Lisa Brown; and interested members of the public were present.

Flag Salute: Mel Winsor, Vice-Commander, Orcas Island American Legion Post 93, conducted the flag salute.

Recognition of Veterans: Council Chair Peterson commended the Legion Family and the Veterans Advisory Board (VAB) for the work they do on behalf of Veterans and presented the Vice-Commander with a Proclamation stating this appreciation. Additional signed copies will be given to the other American Legion Posts and the VAB.

EXCUSED ABSENCES

Moved by Rosenfeld, seconded by Myhr, to **excuse the absence of Pete Rose**, County Administrator, who was away due to a planned vacation. Motion carried unanimously.

CITIZENS' ACCESS TIME

Pierrette Guimond, an Orcas Island resident, addressed the Council regarding the Orcas Island Farmers Market budget and the Styrofoam ban being proposed by the Anti-Litter Initiative.

Sadie Bailey, an Eastsound resident, addressed the Council regarding the increasing population of rabbits.

Jean Dickerson, an Eastsound resident, expressed further concern of the more pervasive nature of the domestic rabbits that have been released. She also brought up the issue of road blocks at County road-ends that lead to the waterfront.

Tony Ghazel, an Orcas Island resident, addressed the Council regarding the Orcas Rec program, relative to budget reductions.

Kevin O'Brien, a member of the Orcas Island Rec Board, requested maintaining some budget allocation for sustainability.

Bob Eagan, a member of the Orcas Island Rec Board, also addressed the Council regarding Orcas Island Rec funding.

10:15 AM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Minutes, agendas, and Council calendar items were reviewed.

10:30 AM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:

Ferries/FAC/Intermodal: Mr. Rosenfeld reported on overflow ferry traffic and progress with the Coast Guard and Washington State Ferries regarding touring-watches and the fall schedule.

Budget Subcommittee: Mr. Fralick reported on the hearing and budget phasing process.

General Government Subcommittee: Mr. Knapp reported on progress towards Ordinances. Mr. Rosenfeld made a suggestion regarding Chair responsibilities to be considered under Charter review.

Islands Trust: Chair Peterson reported on the Islands Trust meeting that he, Ms. Pratt, and Ms. Windrope attended.

Minutes: Council discussion took place regarding action-minutes. Ms. Brown provided input and was directed by consensus to begin a transition plan to action minutes. The following members of the public also provided input: Jack Cory, Sharon Kivisto, and Alan Lichter.

New Senior Center on Lopez: Mr. Myhr commented on the new Senior Center on Lopez Island and suggested the Council meet there next time they plan to meet on Lopez.

Odlin South Acquisition: Mr. Myhr reported he is sending “thank you” letters to legislators for their support of the Odlin South acquisition.

Rabbits: Michael Baker, an Orcas Island Veteran, addressed the Council regarding the rabbit issue. Council discussion took place.

11:30 A.M. DISCUSSION: Turtleback Management Plan Progress Report. Lincoln Bormann, Land Bank Director; Ruthie Dougherty, Land Steward; and interested members of the public were present.

Mr. Bormann and Ms. Dougherty reported on implementation of the Turtleback Stewardship and Management Plan adopted by the Council on December 9, 2008, at which time the Council requested a 6 month progress report. The update included plans for incorporating mixed use on alternate days. Mr. Bormann and Ms. Ruthie reported on safety and publicity, and answered questions from the Council.

1:00 P.M. DISCUSSION: introduction of an Ordinance to Regulate Street Vending in Eastsound. Randall Gaylord, Prosecuting Attorney; and interested members of the public were present.

Mr. Gaylord reviewed the provisions, exemptions, processes, restrictions, and violations outlined in the third draft of the Street Vending Ordinance, which had also been reviewed by the General Government Subcommittee. Mr. Gaylord answered questions from the Council and several revisions were discussed. Chair Peterson invited the public to comment. Bob Connell, of Eastsound; Patty Miller, Audrey Moorland, and Gulliver Rankin, of the Eastsound Planning Review Committee (EPRC); Terry Neil; and Lance Evans, Orcas Island Chamber of Commerce, also provided input and suggestions. Mr. Rosenfeld explained the results of a similar regulatory endeavor in Friday Harbor, ending in prohibition of street vendors. Gary Franco, a Lopez Island farmer also provided input. Council discussion took place and the following motion was made:

Moved by Fralick, seconded by Knapp, to move the Ordinance forward, advertising for public hearing. Council discussion took place with Mr. Gaylord. **Motion carried unanimously.**

1:30 P.M. COMMITTEE REPORT: Eastsound Planning Review Committee (EPRC) Report and Work Plan: Gulliver Rankin, Acting Chair, Outreach & Utilities Advisor; Patty Miller, Long Range Planning, GMA, and Development Advisor; Audrey Moorland, Parking and Transportation Advisor; Bob Connell, Vice-Chair and Economy Advisor; and interested members of the public were present.

Mr. Rankin provided a brief history of the committee and introduced members present and their positions, noting that Mindy Kayl, Conservation Advisor, was unable to attend, and that there are two vacancies on the committee: Housing Advisor and Community Services Advisor. The panel each read from sections of the plan, outlining history, land use and development goals, planning and implementation, and their top five priorities related to best use of Mount Property, restoration of public access to Madrona Point, completing a streetscape plan, evaluation of the Eastsound Subarea plan, and housing. The panel answered questions from the Council, and the following action was taken:

Moved by Fralick, seconded by Knapp, to approve the 2009 Work Plan of the EPRC. Motion carried unanimously.

2:00 P.M. DISCUSSION: Orcas Island Farmers Market Subsidy.

Mr. Fralick provided an update on the Orcas Island Farmers Market’s non-profit status, noting they are now licensed with the state as a non-profit and eligible for a discount in rent for the Village Green. Council discussion

took place with input from Mr. Rankin and Ms. Miller. It was noted this item would be under further review related to budget amendment adoption and no action was taken.

2:30 PM **ADJOURN:** Council Chair Peterson adjourned the meeting at 2:14 p.m.

Tuesday, June 23, 2009 - Council Hearing Room, Legislative Building, Friday Harbor

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, Ann Larson; Deputy Clerk, Lisa Brown; and interested members of the public were present.

EXCUSED ABSENCES:

Moved by Fralick, seconded by Myhr, to excuse the **absence of Pete Rose, County Administrator**, away on vacation. Motion carried unanimously.

CITIZENS' ACCESS TIME

Jack Cory, a private citizen addressed the Council regarding graffiti removal.

Kevin Loftus, director of the San Juan Historical Museum, addressed the Council regarding proposed funding for a website project currently in progress by the three island museums through Lodging Tax.

COUNCIL ADMINISTRATIVE MATTERS

Minutes of June 15, 16, 2009: Moved by Fralick, seconded by Rosenfeld, to approve the Minutes of June 15 and 16, 2009. Motion carried unanimously.

Consent Agenda (See Separate Agenda): Appointment of Tina Whitman and Glenda Hall were added to Consent along with a letter to the Puget Sound Partnership regarding the San Juan Initiative. Moved by Myhr, seconded by Rosenfeld to adopt the Consent Agenda of June 23, 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 #64009-64070 in the amount of \$393,132.95 for Public Works
- Warrants #63848-64008 in the amount of \$156,235.06 for County Claims
- Request for approval of payroll expenditures and associated benefit expenditures for the pay period ending 5/22/09
- Warrants #64370-64399 in the amount of \$7,467.23 for Medical Reimbursements
- Warrants #64403-64464 in the amount of \$661,620.84 for Public Works
- Warrant #64584 in the amount of \$5866.64 for Public Works Excise
- Warrant #64465-64583 in amount of \$114,797.03 for County Claims

D. Personnel: (No items.)

E. Appointments:

1. A letter reappointing Tina Whitman to the Marine Resources Committee, Position #3, the term to continue through June 30, 2013.
2. A letter appointing Glenna Hall to the San Juan Island Library Board of Trustees, Position #2, beginning immediately and continuing through December 31, 2014.

F. Correspondence:

- A letter to Senator Murray and Representative Larsen in support of the Northwest Straits Initiative Reauthorization
- A letter to William Ruckelshaus and David Dicks, Puget Sound Partnership, to request continued support of the San Juan Initiative

G. Miscellaneous:

1. Request to amend the amount of funding approved for the Orcas Long House Senior Rent Subsidy Application
2. Requests by Family Resource Centers on San Juan and Lopez, and OPAL on Orcas for Emergency Rental Assistance Funding

H. Bid Openings: (No items.)

Motion carried unanimously.

COUNCIL MEMBER UPDATES

Mr. Knapp inquired about the status of the code revisions the Council requested regarding the **bulkhead issue**. Council discussion took place. Mr. Henrickson stated he would follow up with Mr. Gaylord, Prosecuting Attorney.

Mr. Knapp referenced a letter from Mr. Gaylord recommending the Council authorize the County Administrator to send a letter to Mr. Apple expressing consent of the preliminary agreement proposal between the County and surrounding property owners for the **Waldron Airstrip**. Council discussion took place regarding this. It was decided to bring this issue up when Mr. Gaylord arrives or decide whether to discuss on a future agenda.

Mr. Knapp referenced the **parking and the road situation for the Waldron Airstrip**. Mr. Knapp made a motion to attempt to resolve the problem. Motion failed for lack of a second. Mr. Peterson suggested discussing this with the Prosecuting Attorney.

Mr. Peterson referenced a letter directed to Jon Shannon regarding a permit **application to vacate a road end** and requested more information from Mr. Shannon through Mr. Henrickson. Council discussion took place.

Mr. Peterson reported that an **interim Clerk plan** is under consideration.

Mr. Peterson also reported that he received a letter from Washington State University announcing the four-year continued appointment of **Tom Schultz as the Extension Agent**.

Mr. Rosenfeld reported on stalled tele-programming of the Council Sessions on **Public Access TV**.

Mr. Peterson reported that Ms. Larson is preparing a **Council Administrative Procedure Manual**.

Mr. Myhr commented on the process of the relocation of the **Lopez Village Market**.

10:20 AM PRESENTATION San Juan Initiative: Amy Windrope, San Juan Initiative Project Manager; and interested members of the public were present.

Ms. Windrope provided an update on the work being done towards implementing shoreline recommendations, and made a request for continued Council support in beginning the same process for upland regulations. She presented the Initiative's "suite" of tools, which included a stuffed carrot, a dictionary, and a hammer, and explained the integrated approach being taken; to include ecology, business, and land-owners. She reviewed protection measures, and the work yet to be funded and completed. Ms. Windrope answered questions from the Council and the following motion was made:

Moved by Pratt, seconded by Knapp, to continue the relationship with the San Juan Initiative as it embarks on this work for the uplands. Mr. Myhr expressed the importance of the work addressing these issues and protecting the shoreline. **Motion carried unanimously.**

After a short break, Mr. Peterson reconvened for additional questions of Ms. Windrope. Mr. Myhr inquired about specifics related to best available science. Ms. Windrope stated that it is the goal of the Initiative to implement recommendations that are regulatory, adding that the Policy Group would like to see the inclusion of a tailored approach around vegetation and bulk-heads. Council discussion took place regarding the draft regulations and input from DOE. **It was decided by Consensus that the Council schedule a workshop, and to include Community Development and Planning Department Staff, Prosecuting Attorney's Office Staff, and the San**

Juan Initiative. It was noted that the CAO meetings on Lopez and Orcas provided adequate meeting space and time for public input.

11:00 AM PUBLIC HEARING: Extending the Moratorium on Country Corner LAMIRD Study.
Present: Full Council; Ron Henrickson, County Administrator Pro Tempore; Ann Larson, Clerk to the Council; Lisa Brown, Public Hearings Specialist; Colin Maycock, Senior Planner; and interested members of the public.

Mr. Maycock presented his Staff Report and explained the circumstances leading to this recommendation. He answered questions from the Council. Public testimony was opened, none submitted, and closed. The following action then took place:

Moved by Myhr, seconded by Knapp, to adopt an Ordinance extending an existing moratorium on subdivisions which create parcels smaller than five acres in size in the Country Corner LAMIRD Study Area Established by Ordinance 2-2009. Motion carried unanimously.

Mr. Knapp requested that Mr. Gaylord or Mr. Cain be in attendance at the next LAMIRD public meeting at the Fire Station on Orcas, 45 Lavender Lane, on July 13, 2009.

11:20 AM DISCUSSION: Lodging Tax Advisory Committee (LTAC) Recommendations for 2010 Facilities Grant Funding. Stan Matthews, Communications Administrator; Jim Nelson, LTAC Committee Member; Kevin Loftus, LTAC Grant Applicant; and interested members of the public were present.

Mr. Matthews referenced his Staff Report and provided Lodging Tax budget information to the Council and the rationale behind LTAC's grant award recommendations. Mr. Nelson reported on the application and review process, noting that the committee voted to hold back \$27,000 in funds, in anticipation of continued decline in revenues next year. Mr. Matthews and Mr. Nielson answered questions from the Council. Council discussion took place regarding applicants and Chair Peterson continued this item to the afternoon session.

11:40 PM EMPLOYEE RECOGNITION CEREMONY

An employee service recognition ceremony was held to honor the following employees for their years of service:

Name	Years of Service	Department
Scott Johansen	25 Years	Sheriff's Dept
James Tyrrell	20 Years	Sheriff's Dept
Angela Bolger	15 Years	Sheriff's Dept
John Manning	15 Years	H & CS
Susan Herrera	15 Years	Extension Office
Elizabeth Seaton	10 Years	Sheriff's Dept
Mairi Sage MacLeod	10 Years	H&CS
Brad Fincher	10 Years	District Court
Karen Vedder	10 Years	Prosecutor's Office
Rhonda Silva	10 Years	Public Works
Patricia Martin	10 Years	Public Works
Marie Johansen	10 Years	District Court
Debbie Emery	10 Years	County Administration
Bonnie Potter	10 Years	District Court
Kandy Hirschel	10 Years	County Administration
Herbert Crowe	10 Years	Sheriff
John Kulseth	5 Years	Assessor
Joe Luma	5 Years	Parks & Rec
Jodie Snapp	5 Years	Parks & Rec
Brent Johnson	5 Years	Sheriff's Dept

Name	Years of Service	Department
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Tamara Joyner	5 Years	H&CS
Sheldon Bedsole	5 Years	Fair
Kristina Bayas	5 Years	Extension Office
Cindy Gauthier	5 Years	Extension Office
Rawson Hirschel	5 Years	Public Works
Terri MacNichol	5 Years	H&CS
Kathleen Obenaus	5 Years	Civil Service
Doris Schaller	5 Years	Auditor
David Halloran	5 Years	Sheriff's Dept
Erin O'Rourke	5 Years	Public Works
John Van Lund	5 Years	Public Works
Greg Sutherland	5 Years	Public Works
Douglas McCutchen	5 Years	Land Bank
Susan Kimball	5 Years	Prosecutor's Office

1:30 PM **CONTINUED DISCUSSION: LTAC Recommendations for 2010 Facilities Grant Funding.**
Stan Matthews, Communications Administrator; Jim Nelson, LTAC Committee Member;
Kevin Loftus, LTAC Grant Applicant; and interested members of the public were present.

Mr. Matthews and Mr. Nelson answered additional questions from the Council. After discussion, the following action took place:

Moved by Rosenfeld, seconded by Fralick, to approve the recommendations of the LTAC, to award the 2010 Lodging Tax Facilities grants as follows: Lopez Historical Museum, \$20,600; SJC Parks, \$133,000; Orcas Island Farmers' Market, \$3,500; FH Veterans Museum, \$2,500; Community Shakespeare, \$5,000; San Juan county Fair, \$45,000; SJ Historical Museum, \$20,600; Orcas Historical Society & Museum, \$20,600; and Community Theaters – SJI, Lopez, and Orcas to split \$82, 200. Mr. Myhr offered an amendment to add \$1,000 to each of the three museums and \$4,000 to the late applicant [Lopez Chamber of Commerce for restroom operations], bringing the total award to \$340,000, using \$7,000 of the \$27,000 reserve. The amendment was not accepted by the maker, but was seconded by Mr. Knapp. Mr. Peterson called the question on the amendment first, which failed with Rosenfeld, Fralick, and Peterson opposed. **Mr. Peterson then called the question on the original motion, which passed with Myhr opposed.**

1:30 PM **COUNTY ADMINISTRATOR ITEMS:** Ron Henrickson, County Administrator Pro Tempore;
and interested members of the public were present.

1. Introduction of an Ordinance amending the public business hours for San Juan County and reduction of hours of business for the Courthouse.

Mr. Henrickson referenced the County Administrator recommendations included in the Staff Report and answered questions from the Council. Council discussion took place regarding the proposed Ordinance, regarding the reduction of County hours of business and allowing the administrator the authority to temporarily reduce hours of service. Mr. Henrickson explained why this would be necessary to keep levels of productivity up during severe cut-backs. Discussion took place regarding parameters of this authority. Mr. Myhr pointed out that this draft ordinance combined the issue of regular office hours with the issue of office hours required by the current economic crisis. He recommended an ordinance addressing regular office hours and a resolution for temporary office hours during the financial crisis. The following action then took place:

Moved by Pratt, seconded by Rosenfeld to move forward the draft ordinance amending the public business hours for SJC to public hearing. Council discussion took place. Mr. Henrickson recorded the Council's comments. **Motion carried with Myhr opposed.**

2:00 PM **PUBLIC HEARING: deRoos Open Open Space Application #09OS002 (TPN 363422001, Shoreline Lane, San Juan Island).** Present: Full Council; Ron Henrickson, County Administrator Pro Tempore; Ann Larson, Clerk to the Council; Lisa Brown, Public Hearings Specialist; Julie Thompson, CD&P Associate Planner; and interested members of the public.

Ms. Thompson referenced her Staff Report and provided details of the application to the Council. She noted that the application had been reviewed by the Planning Commission, and that both the Planning Commission and Staff recommended approval. Public testimony was opened, none submitted, and closed. The following action then took place:

Moved by Myhr, seconded by Knapp, to approve the Open Open Space Application, San Juan Island, 09OS002. Motion carried unanimously.

2:10 PM **EMPLOYEE RECOGNITION: Ann Larson for service as Clerk to the Council.** Council Chair Peterson, and the Council, and Staff, thanked Ms. Larson for her service as Clerk of the Council and wished her farewell, as she heads off to Olympia to serve as Senator Ranker's legislative assistant. Ms. Larson read from a prepared statement.

2:15 PM **ADJOURN AND SIGN DOCUMENTATION:** Council Chair Peterson adjourned the meeting at 2:07 p.m. A Special meeting was scheduled for Wednesday, July 1, 2009, the next Council Staff Work Session was scheduled for Monday, July 6, 2009, and the next regular meeting was scheduled for Tuesday, July 7, 2009.

APPOINTMENTS:

1. See Consent Agenda, section E.

BUDGET ITEMS/WARRANTS:

1. See Consent Agenda, section C.

CALL FOR BIDS: (No items.)

CONTRACTS/AGREEMENTS: (No items.)

CORRESPONDENCE:

1. See Consent Agenda, section F.

MISCELLANEOUS ITEMS:

1. Veterans Recognition (Refer to Monday, 10:00 a.m. Recognition of Veterans, for details.)

ORDINANCES / RESOLUTIONS:

ORD. NO. 17-2009 (Refer to Tuesday, 11:00 a.m., PUBLIC HEARING, for details of action taken.)

PERSONNEL ITEMS: (No items.)

COUNTY COUNCIL, SAN JUAN COUNTY, WASHINGTON

These Minutes were approved and signed on Tuesday, July 7, 2009. The original document is retained in the Council's permanent proceedings file. Attest: Lisa J. Brown, Deputy Clerk.