

**MEETING MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
Monday, March 9 and 10, 2009**

**Monday, March 9, 2009 – Special Meeting, Lopez Fire Hall, Lopez, WA**

**10:15 AM COUNCIL FIELD TRIP: Lopez Hill, Lopez Senior Center, Lopez Transfer Station.** Council Vice-Chair Fralick called the Staff Meeting/Work Session to order at 12:38 p.m. Council members Howard (Howie) Rosenfeld, Gene Knapp, Bob Myhr, and Lovel Pratt; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Land Bank Director, Lincoln Bormann; and Friends of Lopez Hill Representative, Ann Palmer were present.

Mr. Bormann led the Council on a tour of Lopez Hill, followed by a visit to the Senior Center. Jon Shannon completed the field trip with a tour of the Lopez Transfer Station.

**12:15 PM CALL TO ORDER**

Council Vice-Chair Fralick called the Staff Meeting/Work Session to order at 12:38 p.m. Council members Howard (Howie) Rosenfeld, Gene Knapp, Bob Myhr, and Lovel Pratt; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; and interested members of the public were present.

**EXCUSED ABSENCE:**

Moved by Myhr, second by Rosenfeld to excuse the **absence of Rich Peterson** for a personal vacation. Motion passed unanimously.

**CITIZEN ACCESS:**

**Michael Peterson**, Lopez Island, requested a response from the Council regarding the International Association of Fire Fighters paper on cell phones. Mr. Rosenfeld responded that they were looking into radio frequency measurements, but noted the issue was complicated. The Council indicated to Mr. Peterson that they would have a response. Mr. Fralick announced that the Cell Phone Task Force meeting was continued from last week to Wednesday, March 11, 2009, at 11:30 a.m.

**Tom Cowan** noted that the question of Lopez Village parking is complex and also deals with environmental concerns. Relative to underground ditches, he commented on pre-treating water and promoted the idea of using grassy swales as an option.

**CLERK UPDATE:**

Minutes, calendars, and upcoming agendas were discussed over a Brown-Bag working lunch.

**12:25 PM DISCUSSION:** Lincoln Bormann, Land Bank Director; and interested members of the public were present.

**Lopez Hill Trust Land Transfer Agreement:** Mr. Bormann explained that the Land Bank is in the process of rectifying language in the lease with the DNR, which currently allows uses that may not be compatible with parks management. In addition, the DNR had an insertion clause that would allow them to conduct timber sale on the property. Although DNR said that they do not want to log, the language on the lease would allow it. Council discussion took place regarding the lease language and next steps.

**12:45 PM COUNCIL DISCUSSION:** Jon Shannon, Public Works Director; Ron Henrickson, CD&P Director; and interested members of the public were present.

**Lopez Transfer Station:** Mr. Myhr asked if the Lopez model could be duplicated on San Juan and Orcas Islands. Mr. Shannon informed the Council that it would be cost prohibitive, with expenses approximating \$500,000 not including the staff time and expense of the move. Mr. Myhr asked if it was advantageous for Lopezians to

continue sorting recyclables. Mr. Shannon explained that the single stream recycling is a cheaper process but Lopez source separates under Council policy.

**Visit of Potential Lopez Sheriff Office:** Mr. Shannon answered questions regarding the building lease and the tour was postponed until after the Council meeting.

**Lopez UGA Status:** Mr. Henrickson reported that he is currently awaiting a decision from the Growth Management Act (GMA) Hearings Board on sewer compliance, noting that the local improvement district (LID) sewer was estimated prior to the GMA and, for this reason, may supersede its authority. He also noted that once the water [plan] is complete he expects approval, which will bring this area into compliance.

**Lopez Village Parking:** Mr. Henrickson reported on the proposed grocery store project, noting that according to the prosecuting attorney, the store can count non-existing on-street parking places, provided for as an allotment to certain parcels under Ordinance, to meet their parking requirement, without providing additional parking.

**2:00 PM ADJOURN:** (Time Approximate) Moved by Pratt, seconded by Myhr, to adjourn the meeting at 1:46 p.m. Motion carried unanimously.

**2:15 PM COUNCIL FIELD TRIP:** The Council was given a tour of Upright Head by Lincoln Bormann, Land Bank Director.

<b>Tuesday, March 10, 2009 - Council Hearing Room, Legislative Building, Friday Harbor</b>
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**10:00 AM CALL TO ORDER**

Council Vice-Chair Fralick 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, and Lovel Pratt; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerks, Lisa Brown and Maureen See; and interested members of the public were present.

**EXCUSED ABSENCES**

Moved by Myhr, second by Rosenfeld to excuse the **absence of Rich Peterson** for a personal vacation. Motion carried unanimously.

**NEW EMPLOYEE INTRODUCTIONS**

Although there were no new employees to introduce, Mr. Rose brought it to the attention of the Council that Mr. Roseberry had been promoted to fill the recently vacated position of lead equipment operator and that the posting of his position was pending.

**COUNCIL ADMINISTRATIVE MATTERS**

**Minutes:** Moved by Rosenfeld, seconded by Myhr, to approve the minutes of **March 2 and 3, 2009**. Motion carried unanimously.

**Consent:** Moved by Rosenfeld, seconded by Knapp, to approve the **Consent Agenda of March 10, 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 #58601-58689 in amount of \$127,244.98 for County Claims
- Warrant #58722 in the amount of \$118,263.27 for Land Bank purchase
- Warrants #59061-59065 in the amount of \$2,860 for Veteran's Assistance
- Warrants #58928-58934 in the amount of \$2,563.31 for Public Works
- Warrants #58935-58938 in the amount of \$1,866.78 for Public Works

- Warrants #58810-58927 in the amount of \$64,171.88 for County Claims
- Warrant # 58723 in the amount of \$200 for Veteran's Assistance

**D. Personnel:** (No items.)

**E. Appointments**

1. A letter appointing Steve Revella to the Marine Resources Committee, Position #8, filling term vacated by Mary Masters, the term to begin immediately and expire June 20, 2011.
2. A letter appointing Mary Riveland to the San Juan Initiative Policy Leadership Group, effective March 1, 2009.

**F. Correspondence:**

1. A letter thanking Jim Pound for applying for membership on the Marine Resources Committee.
2. A letter thanking Joseph Bettis for applying for membership on the Marine Resources Committee.

**G. Miscellaneous:** (No items.)

**H. Bid Openings:** (No items.)

Motion carried unanimously.

#### **COUNCIL MEMBER UPDATES:**

**Lady Vikings:** Mr. Knapp reported that the Orcas High School Lady Vikings Basketball team placed fifth in state competition over the weekend and suggested sending a congratulatory letter and the following action took place: **Moved by Myhr, seconded by Knapp, to send a letter to the Orcas HS Lady Vikings Basketball team. Motion carried unanimously.**

**Town & County Joint Policy Group:** Mr. Rosenfeld reported on the first meeting of the Town of Friday Harbor and SJ County Joint Policy Group meeting and invited comments from Mr. Rose, who said they talked about scoping and their role in the population estimate in the Comprehensive Plan update on the agenda for March 24, 2009, agreed to add discussion on how to process the Town and County review of the solid waste transfer facility, and discussed history of the committee and how it was used in the past.

**Skype Teleconferencing:** Mr. Knapp reported that Oprah Winfrey has utilized this technology on her show for more than ten years and inquired why the County couldn't implement it here. Mr. Rose said that there are security issues, but would have Mr. Johnson, Information Services Manager, respond to this question.

**Ferries / Inter-modal Issues:** Mr. Rosenfeld inquired about sending a position letter regarding ferry service to Legislators at the suggestion of Ed Sutton, FAC Chair, noting that legislative action is imminent. **Council discussion took place and consensus was reached on sending a brief letter to legislators regarding the Council position on ferry issues.** Ms. Pratt reported on an idea brought to her attention at the Farmhouse Gang Meeting by Liz Illg, who inquired about Mason County Transportation Authority's public transportation model which uses school buses for public transit and asked if there was interest in this idea. Council discussion took place and Ms. Pratt offered to consult with Don Chartock, Washington State Department of Transportation, regarding this. Mr. Rosenfeld inquired about expanding the ferry update to include inter-modal transportation and the Council concurred.

**Legislative Priorities and Lobbying Efforts:** Mr. Myhr reported on meetings he attended last week in Olympia, including the Rural Counties and the Farmhouse Gang meeting on Friday, noting that background materials are on file with Clerk Larson. He reported that Dan Newhouse, newly appointed as the Washington State Director of Agriculture, will continue to put emphasis on agricultural exports – grains, fruit, various agricultural products and also expressed an interest in ensuring farm-to-market and farm-to-school programs. Mr. Rosenfeld suggested apprising Mr. Newhouse of SJC's Land Bank agriculture lease and the FHHS school lunch program. Ms. Pratt offered to draft the letter. Mr. Myhr also provided an update on various bills and cut-off dates. He expressed concern regarding a bill proposed to combine 13 mental health districts into three, noting that if regions are too large, they lose contact with providers. He reported that several state parks are scheduled to close, but Moran and Spencer Spit will remain open. He noted that he and Ms. Pratt will continue to attend these legislative meetings on an alternating basis. Mr. Fralick informed the council that the next bi-weekly teleconference with legislators would be Monday, March 16, 2009, and that he would provide a draft summary following the call.

**Cell Phone Task Force:** Mr. Fralick reported that he is deep into the preliminary drafting of the Ordinance and that the committee will continue to work through the document with the goal of moving it into Ordinance form by their next meeting.

**General Government Subcommittee:** Mr. Knapp reported that the subcommittee would be prioritizing their growing list of assignments later today.

**San Juan Islands Community Foundation (SJICF):** Ms. Pratt reported that she is serving on the new Critical Needs Task Force Steering Committee of the San Juan Island Community Foundation, created in light of the current economy and emerging needs in the community. She will also Chair the Critical Needs Task Force Food Workgroup. She said the Steering Committee will be making recommendations for grant applications to the foundation which will initiate a new spring grant cycle to award grants for critical needs on San Juan Island.

**Earth Hour:** Mr. Rosenfeld reported that the Town of Friday Harbor had issued a proclamation supporting Earth Hour on March 28, 2009, from 8:00 to 9:00 [8:30 to 9:30] and suggested the Council do the same. The Council concurred and asked Mr. Rose to provide a draft for review in the afternoon.

**Lighthouse on Patos Island:** Mr. Rosenfeld inquired about an e-mail regarding Patos Island. Mr. Knapp explained that Ms. Henley had resolved the matter.

**11:10 AM COUNCIL DISCUSSION:**

**Budget Subcommittee Work Plan Report:** Mr. Fralick reported that the work plan the subcommittee is putting together includes goals the Council agreed upon at the retreat, arranged in a time-line, and provided a PowerPoint presentation. He disclosed that this is a dynamic document that will change as they move through the process. He outlined the budget work by operating budget, capital projects, core services, and quantified levels of services. He explained that the mid-term plan will forecast through 2015 and for the long-term, their goal is to develop policy and implement strategies that can look at an operating budget that is sustainable well into the future. Mr. Fralick reviewed components of the budget, including how it may relate to an election measure [levy lid lift] and understanding budget programs, mandates, core responsibilities and costs, levels of service and the difference between minimums required by law and level of service cost drivers, and whether these changes in revenues reside within Council or the electorate. Mr. Fralick shared detail on each aspect of the budget planning and Council discussion took place. The following action then took place:

**Moved by Knapp, seconded by Myhr, to formally adopt the work plan of the Budget Subcommittee. Motion carried unanimously.**

**11:30 AM DISCUSSION:** Milene Henley, SJC Auditor; Dona Wuthnow, Parks Director; and interested members of the public were present.

**Introduction of an Ordinance Amending the San Juan County 2009 Budget for Emergency Appropriations**  
Ms. Henley introduced an emergency appropriations ordinance, a supplemental appropriations ordinance, and an ordinance adjusting beginning cash balance of the San Juan County 2009 Budget. Ms. Henley provided details regarding each ordinance and answered questions from the Council. Council discussion took place regarding SJC Parks budget, revenues and fees, the Orcas Farmers Market, the Lodging Tax grant cycle, and the current budget planning. Ms. Wuthnow and Mr. Rose also provided input and the following action took place:

**Moved by Myhr, seconded by Rosenfeld, to move the Ordinances forward to public hearing reserving the cash balance in the Parks Department Fund rather than transferring it to the General Fund. Motion carried unanimously.**

**1:30 PM ADDED ADMINISTRATIVE MATTERS:**

**1) Ferry Letter:** The Council reviewed and approved the ferry letter and the following action took place: **Moved by Myhr, seconded by Knapp, to sign the letter to the legislative delegation, Judy Clibborn, of the House Transportation Committee, Senator Haugen, and copied to David Moseley. Motion carried unanimously.**

**2) Earth Hour: Moved by Myhr, seconded by Knapp, to sign the proclamation to recognize Earth Hour, 2009. Motion carried unanimously.**

**3) Lady Vikings: Moved by Myhr, seconded by Knapp, to send the letter of congratulations to the Lady Vikings Basketball Team. Motion carried unanimously.**

**1:30 PM COUNTY ADMINISTRATOR ITEMS:** (Commenced at 1:37 due to time constraints.) Pete Rose, County Administrator; Adina Cunningham, Deputy Director; Jon Shannon, Public Works Director; and interested members of the public were present.

**1) Council Priority Work Plan:** Mr. Rose referenced the Council work-plan, with updates discussed previously and noted additional columns for tracking progress and marking milestones as they occur. Council discussion took place and Mr. Rose answered questions from the Council regarding the priorities and timelines. The absence of the economics in the site decision of the transfer station was pointed out by Mr. Myhr and he asked to have that bullet also state “including economics.” The Council concurred and the following action took place:

**Moved by Pratt, seconded by Knapp, to adopt the work plan as amended. Motion carried unanimously.**

**2) A Resolution Appointing the Director, Alternate Director, Risk Manager, Safety Officer, and Claims Administrator for the Washington Counties Risk Pool:** Mr. Rose introduced the Risk Pool Representative appointment resolution. Ms. Cunningham provided background information regarding membership in the risk pool, indicating that this resolution fulfills a requirement of their bylaws and the following action took place:

**Moved by Myhr, seconded by Knapp, to adopt the resolution as presented. Motion carried unanimously.**

**3) Stimulus Package Update:** Mr. Rose reported on information provided by WSAC regarding a variety of federal stimulus monies to be distributed from the state, noting that some will come in pass-through money via silos, some will be amounts that can be claimed on distributions in grants, HCS expects small amounts in several areas, and of specific interest, related to the work of the Cell Phone Task Force, was the money available for Broad Band infrastructure, to which Mr. Rose said he would be interested in receiving Council direction. He then invited Mr. Shannon forward to report on shovel-ready projects that could qualify, but may require the re-ordering of some of the projects in the [6 Year] Road Plan. Mr. Shannon provided hand-outs that outlined specifics related to San Juan County and offered to e-mail the overall PowerPoint presentation to the Council. He reported the federal stimulus money available through the American Recovery and Reinvestment Act, which will include appropriations totaling \$787 billion, with \$111 billion set aside for infrastructure and science, and of that, \$48 billion set aside specifically for transportation. He stated that it is important to understand that processing federal money takes staff time and paperwork. He explained how money allocated through RTPOs is distributed, the restrictions imposed, and how this relates to project eligibility in San Juan County, containing only 47 miles, or 17 percent, of SJC roadway that qualifies for funding. He reported that SJC has only one shovel-ready project on an eligible roadway; the Fisherman Bay Road project, and that he is planning on applying for funding for this and offsetting already appropriated monies for other projects. Mr. Myhr requested that other projects be funded to offset the funds that would not have to be spent on the Fisherman Bay road project, in keeping with the purpose of economic stimulus. Mr. Shannon and Mr. Rose said they would get back to the Council with suggestions.

**4) Lack of Permitting Activity / Reduction in Force:** Mr. Rose affirmed on record that permitting for the months of December, January, and February were down 35 percent, and that March is coming in accordingly, yielding deficit projections of over \$110,000 in that department, adding to that the cost of SJC’s personnel benefit program in layoffs brings the deficit to nearly \$150,000. He reported that due to this circumstance layoff notices were given to two employees in permitting and he will wait a couple of months to see if there is any recovery or if additional cuts will be necessary. Mr. Rose answered questions from the Council and expressed his regrets to the departing employees in having to take this action.

**2:00 PM ADJOURN AND SIGN DOCUMENTATION:** (Time Approximate) Moved by Myhr, seconded by Knapp, to adjourn the meeting at 2:20 p.m. Motion carried. The next regular meeting is scheduled for Monday, March 23, 2009, and the next regular Tuesday Meeting was scheduled for Tuesday, March 24, 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. **Ferry Letter to Legislators** (See March 10, 2009, COUNCIL MEMBER UPDATES, and 1:30 p.m., ADDED ADMINISTRATIVE ITEMS, No. 1, for details of action taken.)
2. **Congratulatory Letter to Lady Vikings** (See March 10, 2009, COUNCIL MEMBER UPDATES, and 1:30 p.m., ADDED ADMINISTRATIVE ITEMS, No. 3, for details of action taken.)

MISCELLANEOUS ITEMS:

1. **Earth Hour Proclamation** (See March 10, 2009, 1:30 p.m., ADDED ADMINISTRATIVE ITEMS, No. 2, for details of action taken.)

ORDINANCES / RESOLUTIONS:

**RES. NO. 15-2009** (Refer to March 10, 2009, 1:30 p.m., COUNTY ADMINISTRATOR ITEMS, or details of action taken.)

PERSONNEL ITEMS: (No items.)

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**These Minutes were approved and signed on Tuesday, March 24, 2009. The original document is retained in the Council's permanent proceedings file. Attest: Lisa J. Brown, Deputy Clerk.**