

**SUMMARY OF THE MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
January 7, 8, 2008**

Monday, January 7, 2008 - Council Conference Room, Legislative Building

CALL TO ORDER – REGULAR STAFF MEETING AND WORK SESSION

Council Chair Howard Rosenfeld called the staff meeting to order at 10:07 a.m. Council members Kevin Ranker, Rich Peterson, Gene Knapp, and Alan Lichter; County Administrator, Pete Rose; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present.

Council schedules and agendas were reviewed, as were plans for a retreat on February 25, 2008. Chair Rosenfeld requested that no meetings be scheduled by Council Members on Mondays and Tuesdays going forward. Clerk Tuttle asked the Council to consider earlier times off for Christmas Eve and New Years Eve. Pete Rose, CA, noted that an Ordinance assigns business hours and it states that the courthouse is to close at a specific time and suggested receiving feedback from other Department Heads. Alan Lichter discussed the visit from Islands Trust on January 28, 2008 and discussed topics for shared discussion. Kevin Ranker informed the Council about the Coastal Counties Caucus meeting scheduled for January 17, 2008 and the Council discussed the SWAC Legislative Rally scheduled for February 6, and 7, 2008. The Clerk of the Council provided an update on the joint meeting with the Town Council of Friday Harbor scheduled for Tuesday, January 15, 2008 and provided updates on Council office and staff work.

RECESS - At 11:35 a.m., Council Chair Rosenfeld recessed the meeting until 10:00 a.m., Tuesday, January 8, 2008.

Tuesday, January 8, 2008 - Council Hearing Room – Courthouse, FH

CALL TO ORDER – REGULAR MEETING

Council Chair Rosenfeld called the meeting to order at 10:00 a.m. Present: Full Council with the exception of Bob Myhr; Pete Rose, CA; Laura Tuttle, Clerk to the Council; Maureen See, Council Department Assistant; Valarie Graham, Deputy Clerk; and interested members of the public.

The flag salute was conducted.

EXCUSED ABSENCES

Moved by Lichter, seconded by Ranker, to excuse the absence of Bob Myhr. (Reason: Vacation) Motion carried unanimously.

CITIZEN ACCESS TIME

No matters were brought before the Council.

ANNOUNCEMENTS/SCHEDULE CHANGES

The posted Council Agenda was revised.

APPROVAL OF MINUTES

Moved by Ranker, seconded by Lichter, to approve the Minutes of **December 17, 18 & 21, 2008**. Motion carried unanimously.

CONSENT AGENDA

Moved by Ranker, seconded by Knapp, to approve the **Final Consent Agenda of January 8, 2008 (with changes)** as follows:

The County Council moved to:

A. Resolutions/Ordinances: (No items.)

B. Contracts/Agreements:

1. Approve the Interagency Agreement between the State of Washington Department of Community, Trade and Economic Development and San Juan County, which provides for reimbursement to the County for the cost of completing the inventory of services and resources available to offenders in San Juan County (expected reimbursement amount: \$1,600) . These funds were not anticipated in the 2008 budget. The inventory has been completed as required by ESSB 6157 of 2007, and the report sent to CTED. Term of Agreement: 9/1/07 to be completed by 1/1/08. (SJC Agreement No. 07DC01)
2. Approve the Interagency Agreement between the North Sound Mental Health Administration (hereafter "NSMHA") and San Juan County, which provides for annual financial support that the NSMHA provides to fund SJ County's Mental Health Coordinator's salary and expenses (amount limited to \$52,024). Funding assures S J County's continued participation in regional mental health planning, oversight of local services and management of local federal block grant and jail services grants. The term of contract is January 1 through December 31, 2008. (SJC Agreement No. 08HC 001)
3. Approve the Grant Agreement between Washington State Department of Archaeology and Historic Preservation and San Juan County, which provides for County Courthouse Rehabilitation Project funding (said funding for specific projects are set out on Attachment #1 and #2 to the Grant) (SJC Agreement No. 07SJ20)
4. Approve the SJI Trails Committee Interlocal Agreement between San Juan County and the San Juan Island Park & Recreation District for a San Juan Island Trails Program for 2008, which provides for mapping and professional services, publicity and advertisement, web site maintenance, trail development and maintenance, Trail Committee booth at the San Juan County Fair, printing, meeting room rental, and postage, in the sum of \$4,500. The 2008 budget was prepared assuming this agreement would be approved. (SJC Agreement No. 08PK.001)

C. Budget Items: (No items.)

D. Personnel: (No items.)

E. Appointments: (No items.)

F. Correspondence: (No items.)

G. Miscellaneous: (No items.)

H. Bid Openings: (No items.)

Motion carried unanimously.

CONTRACTS/AGREEMENTS:

Contract No. SJC Agreement No. 08PK.003 - Moved by Peterson, seconded by Knapp, to sign contract SJC Agreement No. 08PK.003 a Management Agreement with Lopez Island Chamber of Commerce to act as the Park Superintendent's Designee to Operate and Maintain Lopez Village Park. Motion carried unanimously.

ACTION AND DISCUSSION ITEMS

ORDINANCES/RESOLUTIONS:

RES. NO. 1-2008 - Moved by Peterson, seconded by Knapp, to adopt the Resolution 1-2008, A Resolution To Acquire And Accept The Deed For Lopez Village Park Property On Lopez Island. Motion carried unanimously.

- ORD. NO. 1-2008-** (Refer to PUBLIC HEARING at 10:45 a.m. for details of action taken.)
ORD. NO. 2-2008- (Refer to PUBLIC HEARING at 11:15 a.m. for details of action taken.)
ORD. NO. 3-2008- (Refer to PUBLIC HEARING at 1:30 p.m. for details of action taken.)
ORD. NO. -2008- (Refer to PUBLIC HEARING at 2:00 p.m. for details of action taken.)

COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS:

1. Kevin Ranker informed the Council that one of San Juan County's Legislative Priorities, to Fund the Washington State Oil Spill Advisory Council and Year-round Neah Bay Rescue Tug is being held up by a Senator in Ohio and the Senator is threatening to stall any movement in the Legislature. Ranker noted that due to the recent oil spill in San Francisco, this priority has gained considerably more attention and supporters. Ranker continued his update on the Affordable Housing priority. Representative Quall is taking the request to alter state law to allow affordable housing programs to serve populations of up to 120% MFI with appropriate qualifications to the housing committee and Ranker is waiting on Representative Quall's response. Ranker noted the Washington Department of Fish and Wildlife \$400,000 request for the Salmon Recovery Lead Entity Program did not make it into the Governor's budget so Fish and Wildlife got nothing. Ranker did have good news on the Orca Whale Protection, stating there was a draft bill in the Senate that has a lot of support behind it. The bill will be going to committee in 2 weeks.
2. Pete Rose, CA, informed the Council that the new San Juan County website would be up and running within 24 hours. Both the old website and new website will be running in parallel for two weeks while data is transferred. Rich Peterson asked Mr. Rose if he had any update on the power supply issue. Mr. Rose stated that the only damage was to the source equipment and that it did take down 2 systems but the backup power supply was there and used.
3. The Council and Pete Rose discussed the Port Townsend beta test that is a study of the impact of what is happening in Port Townsend. Alan Lichter commented that the impact on business there is huge, and no one is happy with the situation. Gene Knapp commented that the papers had interviews with business owners and that some businesses had already closed.
4. The Council discussed the upcoming retreat scheduled for February 25, 2008 with topics such as GMA, Climate Change, Smart Growth, and many others. The Council asked for input from all Department Heads in the County as to where they see the problems so the Council can determine effective solutions.

PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

PUBLIC HEARINGS

10:45 a.m. – (Commenced at 10:52 a.m. due to time constraints) A **public hearing** was held to consider an Ordinance Regarding The Building Advisory Council And Amending Sections 2.25.010, 2.25.020, 2.25.030 and 2.25.040 Of The San Juan County Code To Ensure Consistency With The San Juan County Charter And State Law. Present: Full Council with the exception of Bob Myhr; Pete Rose, CA; Laura Tuttle, Clerk to the Council; Maureen See, Council Department Assistant; Valarie Graham, Deputy Clerk; and interested members of the public. Public testimony was opened, submitted by Jack Cory who suggested adding a provision for an Architect or Designer on the Advisory Council. Public testimony was closed at 11:03 a.m. Deliberations were held and the following action was taken:

Moved by Peterson, seconded by Ranker, to adopt an Ordinance Regarding The Building Advisory Council And Amending Sections 2.25.010, 2.25.020, 2.25.030 and 2.25.040 Of The San Juan County Code To Ensure Consistency With The San Juan County Charter And State Law. (With changes) Motion carried unanimously.

11:15 a.m. – (Commenced at 11:18 a.m. due to time constraints) A **public hearing** was held to consider an Ordinance Regarding Transfer Of Real Property And Acceptance Of Deeds And Amending Sections 2.28.010 and 2.28.020 Of The San Juan County Code To Ensure Consistency With The San Juan County Charter And State Law. Present: Full Council with the exception of Bob Myhr; Pete Rose, CA; Laura Tuttle, Clerk to the Council; Maureen See, Council Department Assistant; Valarie Graham, Deputy Clerk; and interested members of the public. Pete Rose stated that the language changes requested by the Council had been worked out in a prior session and that this is simply a charter completion item that retains the role of conveyance of real property only

by resolution by the County Council. Public testimony was opened, none submitted, and closed. Deliberations were held and the following action was taken:

Moved by Ranker, seconded by Lichter, to adopt An Ordinance Regarding Transfer Of Real Property And Acceptance Of Deeds And Amending Sections 2.28.010 and 2.28.020 Of The San Juan County Code To Ensure Consistency With The San Juan County Charter And State Law. Motion carried unanimously.

RECESS - At 11:25 a.m., Council Chair Rosenfeld recessed the meeting until 1:00 p.m.

DISCUSSION

1:00 p.m. – Transfer of Lopez Village Park – Dona Wuthnow, Park Superintendent, asked the Council to adopt a resolution to acquire and accept the deed for Lopez Village Park Property on Lopez Island. Ms. Wuthnow also asked the Council to direct Pete Rose, County Administrator, to sign closing documents and accept an annual donation of \$2,666.00 to the County until 2014, for the purposes of supporting the capital improvements on Lopez Village Park. Ms. Wuthnow also asked the Council to sign an Agreement for Management of Lopez Village Park by and between San Juan County and Lopez Island Chamber of Commerce. Mr. Rosenfeld asked about the concern regarding the indemnity clause. Mr. Knapp mentioned that the issue had been resolved. After further discussion, the following action was taken:

Moved by Peterson, seconded by Knapp, to adopt the Resolution to acquire and accept the deed for Lopez Village Park Property on Lopez Island. Mr. Ranker added a friendly amendment, to direct the CA to sign closing documents and accept the annual donations and sign the Management Agreement with the Chamber of Commerce. Motion carried unanimously.

PUBLIC HEARINGS

1:30 p.m. – (Commenced at 1:42 p.m. due to time constraints) A **public hearing** was held to consider an Ordinance Regarding Noxious Weed Board Amending Sections 2.42.010, 2.42.020, 2.42.030, 2.42.040 and 2.42.050 Of The San Juan County Code To Ensure Consistency With The San Juan County Charter And State Law. Present: Full Council with the exception of Bob Myhr; Pete Rose, CA; Laura Tuttle, Clerk to the Council; Maureen See, Council Department Assistant; Valarie Graham, Deputy Clerk; and interested members of the public. Public testimony was opened, none submitted and, closed. Deliberations were held and the following action was taken:

Moved by Ranker, seconded by Lichter, to adopt an Ordinance Regarding Noxious Weed Board Amending Sections 2.42.010, 2.42.020, 2.42.030, 2.42.040 and 2.42.050 Of The San Juan County Code To Ensure Consistency With The San Juan County Charter And State Law. Motion carried unanimously.

2:00 p.m. – A **public hearing** was held to consider An Ordinance Regarding The Emergency Management Council Amending Sections 2.48.010, 2.48.070, 2.48.090, 2.48.100 And 2.48.110 Of The San Juan County Code To Ensure Consistency With The San Juan County Charter And State Law. Present: Full Council with the exception of Bob Myhr; Pete Rose, CA; Laura Tuttle, Clerk to the Council; Maureen See, Council Department Assistant; Valarie Graham, Deputy Clerk; and interested members of the public. Pete Rose, CA, informed the Council that this ordinance is the last of the 4 ordinances previously reviewed in work sessions. Mr. Lichter asked Mr. Rose about the line of authority when no Council Member could be reached. Chair Rosenfeld continued the hearing to later this day until the information arrived.

COUNTY ADMINISTRATOR COUNCIL BRIEFING

County Administrator Council Briefing: Also present: Steve Alexander, Public Works, Solid Waste Manager; Shannon FitzGerald, Senior Planner, CD&P; Ed Hale, Public Works Utility Manager; Laura Tuttle, Clerk to the Council; Maureen See, Council Department Assistant; Valarie Graham, Deputy Clerk; and interested members of the public.

1. SWAC SEPA Update - Steve Alexander and Shannon FitzGerald addressed the Council to discuss the steps involved leading to the selection of a new Solid Waste Transfer Site. Ms. FitzGerald stated Public Works would be represented by outside counsel while CD&P would be represented by the Prosecuting Attorney's Office. Ms. FitzGerald used a simple graph with timelines for separate analysis of each stage to recommend a transfer site to

the Solid Waste Advisory Committee. Ms. FitzGerald noted that first CD&P will scope any potential adverse impacts and prepare the draft Environmental Impact Statement which should be done in July, 2008. There will be a 45 day comment period, followed by a public hearing and two informational public meetings. Ms. FitzGerald stressed that public comments need to be made during the comment period before the final EIS is produced. When the final EIS is prepared, with comments received, the SWAC will be considering all this information and making a recommendation to the Council. In the final EIS there could be a preferred site. Mr. Ranker noted that the Council is required to respond to any EIS. Steve Alexander noted that Public Works, for its own needs and SWAC will be looking at environmental mitigation, costs for utilities, roads, mitigation to neighborhoods, ferry access, the properties' usable areas will be additions to the EIS. At the close, all the information is rolled into the final EIS. SWAC will deliberate, and Public Works will deliberate and make a recommendation to the Council. Ed Hale commented that a more in-depth briefing will be coming before the Council. Mr. Alexander stated that these dates are flexible, they are just target dates and will depend on legal advice by both parties, whichever comes first. Mr. Ranker stressed how critical it will be to comment on the draft EIS.

EXECUTIVE/CLOSED SESSIONS

2:45 p.m. – Council Chair Rosenfeld announced that the Council would be holding an **executive session** estimated to last approximately 30 minutes, pursuant to the provisions of RCW 42.30.110(1)(i). The session ended at 3:45 p.m. for an actual session time of 60 minutes. No action was taken.

PUBLIC HEARINGS

3:48 p.m. – A continued **public hearing** from **2:00 p.m.** today was held to consider An Ordinance Regarding The Emergency Management Council Amending Sections 2.48.010, 2.48.070, 2.48.090, 2.48.100 And 2.48.110 Of The San Juan County Code To Ensure Consistency With The San Juan County Charter And State Law. Present: Full Council with the exception of Bob Myhr; Pete Rose, CA; Laura Tuttle, Clerk to the Council; Maureen See, Council Department Assistant; Valarie Graham, Deputy Clerk; and interested members of the public. Pete Rose, CA, was in receipt of the information the Council needed. Public testimony was opened, none submitted and closed. Deliberations were held and the following action was taken:

Moved by Lichter, seconded by Ranker, to adopt An Ordinance Regarding The Emergency Management Council Amending Sections 2.48.010, 2.48.070, 2.48.090, 2.48.100 And 2.48.110 Of The San Juan County Code To Ensure Consistency With The San Juan County Charter And State Law. (With changes) Motion carried unanimously.

ADJOURNMENT - Moved by Lichter, seconded by Ranker, to adjourn the meeting. Motion carried unanimously. Council Chair Rosenfeld adjourned the meeting at 3:53 p.m. A Special Meeting was scheduled for Monday, January 14, 2008, and the next regular meeting was scheduled for Tuesday, January 15, 2008.

COUNTY COUNCIL SAN JUAN COUNTY, WASHINGTON

Howard Rosenfeld, Chair
District 3, Friday Harbor

ATTEST: Clerk of the Council

Gene Knapp, Vice-Chair
District 5, Orcas East

By: _____
Valarie Graham, Deputy Clerk

Kevin M. M. Ranker, Member
District 1, San Juan South

Rich Peterson, Member
District 2, San Juan North

Alan Lichter, Member
District 4, Orcas West/Waldron

Bob Myhr, Member
District 6, Lopez/Shaw