

**SUMMARY OF THE MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
February 25, 26, 2008**

Monday, February 25, 2008 – University of Washington Laboratories, Commons Room, FH

CALL TO ORDER – SPECIAL MEETING, RETREAT/WORKSHOP

Council Chair Howard Rosenfeld called the retreat to order at 9:00 a.m. Council members Kevin Ranker, Rich Peterson, Bob Myhr, Gene Knapp, and Alan Lichter; County Administrator, Pete Rose; Pamela Morais, HR Manager; Marion Melville, District Court Administrator; Ron Henrickson, Director CD&P; Stan Matthews, Communications Program Manager; Deputy Clerk, Valarie Graham; and interested members of the public were present.

The Full Council and Pete Rose, CA, held a retreat at the University of Washington Laboratories facilitated by Pamela Morais, HR Manager. Accomplishments to date of the 2007 County Council Core Initiatives included:

- Land Use Accomplishments
- Environmental Policy Accomplishments
- Trails Initiative Accomplishments
- Ferry Policy Accomplishments
- Affordable Housing Accomplishments
- Responsive and Accessible Government Accomplishments

The Council also drafted Core Initiatives for 2008 which included:

- Inter-island connectivity through the use of video-teleconferencing and video-streaming technology
- 5-Year Budget and Staffing Forecast
- Evaluating Capital Budget Needs
- Finalize and advance a 2009-2010 ferry/transportation policy
- Training for Committees
- Analyze new construction fee structure. Consider a cap on house size; accessory buildings
- Develop strategy for dealing with lobbying and legislation at State level after 2008
- Look at effect of focus on environment and affordability and determine consequences
- Evaluate (new construction) build-out and determine absolute carrying capacity of islands
- Study availability and type of water resources of islands, looking at such items as recharge rate, greywater, catchment, and carrying capacity.

The Council also discussed Council effectiveness and had a brainstorm session for all possible initiatives.

RECESS - At 4:40 p.m., Council Chair Rosenfeld recessed the meeting until 10:30 a.m., Tuesday, February 26, 2008.

Tuesday, February 26, 2008 – Lopez Center for Community & The Arts, Lopez Island

CALL TO ORDER – SPECIAL MEETING

Council Chair Rosenfeld called the meeting to order at 10:30 a.m. Council members Rich Peterson, Bob Myhr, Gene Knapp, and Alan Lichter; County Administrator, Pete Rose; Stan Matthews, Communications Program Manager; Laura Tuttle, Council Clerk; Maureen See, Council Assistant; Jon Shannon, Director, Public Works; John VanLund, County Engineer; Guard Sundstrom, Office Engineer; Karen Vedder, DPA; Deputy Clerk, Valarie Graham; and interested members of the public were present.

EXCUSED ABSENCES

Moved by Peterson, seconded by Myhr, to excuse the absence of Kevin Ranker. (Reason: County Business)

CITIZEN ACCESS TIME

Janet Sundquist addressed the Council about the retreat held the previous day. Ms. Sundquist reported that she had visited several websites and couldn't locate any details regarding the agenda. Bob Myhr noted that the details would be reported in the Minutes once approved. Ms. Sundquist asked what new initiatives the Council

developed at the retreat and Myhr discussed the future teleconferencing capabilities of the Council in the near future.

ANNOUNCEMENTS/SCHEDULE CHANGES

The posted Council Agenda was revised.

APPROVAL OF MINUTES

Moved by Lichter, seconded by Myhr, to approve the Minutes of **February 11, 12, 2008**. Motion carried unanimously.

CONSENT AGENDA

Moved by Knapp, seconded by Myhr, to approve the **Final Consent Agenda of February 26, 2008** (with changes per Knapp) as follows:

The County Council moved to:

A. Resolutions/Ordinances:

1. Resolution 12 - 2008 - To Accept Two (2) Easements, Appropriating Funds, and Authorizing payments for Fisherman Bay Road Right-Of-Way Acquisition CRP 030702, Wyvonna L. Blake, Trustee of TJ Blake Test Trust, Warsen Family LTD, Partnership.

B. Contracts/Agreements:

1. Approve the Department of Ecology CPG Contract with San Juan County, for continuing with DOE to respond to, investigate and resolve issues of the proper disposal of solid waste. This Coordinated Prevention Grant (CPG) agreement provides funding for staff to address solid waste issues. Funding is for \$104,223 for January 1, 2008 through December 31, 2009, and includes state funding of \$78,167 and county matching funds of \$26,056, which is included in the authorized 2008 budget. (SJC 08HC.012)

2. Approve the Amendment to San Juan County Agreement 07SH09 (Interagency Agreement Amendment Between San Juan County and Snohomish County). This is a Federal Fiscal Year 2006 Law Enforcement Terrorism Prevention Program Grant. This amendment extends the performance period of the contract (previously signed by the council) from February 28, 2008 to August 31, 2008. (SJC 08SH.003)

C. Budget Items: (No items.)

D. Personnel: (No items.)

E. Appointments: (No items.)

F. Correspondence:

1. Approve and sign: Thank You Card to Hon. Mary Margaret Haugen (for meeting with us and attending the 2008 WSAC Legislative Rally).

2. Approve and sign: Thank You Card to Hon. Harriet Spanel (for meeting with us and attending the 2008 WSAC Legislative Rally).

3. Approve and sign: Thank You Card to Hon. Norma Smith (for meeting with us and attending the 2008 WSAC Legislative Rally).

4. Approve and sign: Thank You Card to Commissioner Phil Bakke (for meeting with us and attending the 2008 WSAC Legislative Rally).

5. Approve and sign: Thank You Card to Commissioner William McDowell (for meeting with us and attending the 2008 WSAC Legislative Rally).

6. Approve and sign: Thank You Card to Island County Planning Director Jeff Tate (for meeting with us and attending the 2008 WSAC Legislative Rally).

7. Approve and sign: Thank You Card to Commissioner Don Munks (for meeting with us and attending the 2008 WSAC Legislative Rally).

8. Approve and sign: Thank You Card to Commissioner Kenneth Dahlstedt (for meeting with us and attending the 2008 WSAC Legislative Rally).

9. Approve and sign: Thank You Card to Commissioner Sharon Dillon (for meeting with us and attending the 2008 WSAC Legislative Rally.)

10. Approve and sign: Thank You Card to Administrator Gary Rowe (for meeting with us and attending The 2008 WSAC Legislative Rally).

11. Approve and sign: Letter to Honorable Patty Murray re: Support for San Juan County Application for EPA “West Coast Initiative for Puget Sound” Grant.

12. Approve and sign: Letter to Honorable Maria Cantwell re: Support for San Juan County Application for EPA “West Coast Initiative for Puget Sound” Grant.

13. Approve and sign: Letter to Honorable Rick Larsen re: Support for San Juan County Application for EPA “West Coast Initiative for Puget Sound” Grant.

14. Approve and sign: Accept Appointment of Tom Welch, and sign Letter appointing Tom Welch, Of Orcas Island, to fill the seat to complete Carter Shelley’s term to the Orcas Island Library Board of Trustees, the term to begin immediately and expire at the end of the term in January, 2013.

15. Approve and sign: Accept appointment of Neal C. Foley, and sign letter appointing Neal C. Foley, to the San Juan Islands Agricultural Resources Committee, Position #9, to fill the vacated seat of Gus Lohman, said appointment to begin immediately and to end in August, 2011.

G. Miscellaneous: (No items.)

H. Bid Openings: (No items.)

Motion carried unanimously.

ACTION AND DISCUSSION ITEMS

ORDINANCES/RESOLUTIONS:

RES. NO. 12-2008 - Adopt the Resolution To Accept Two (2) Easements, Appropriating Funds, and Authorizing payments for Fisherman Bay Road Right-Of-Way Acquisition CRP 030702, Wyvonna L. Blake, Trustee of TJ Blake Test Trust, Warsen Family LTD, Partnership.

RES. NO. 13-2008 – Adopt the Resolution determining public use of a portion of TPN 25113302 (K & B Enterprises) and directing the Prosecuting Attorney to file a petition to determine just compensation.

RES. NO. 14-2008 – Adopt the Resolution determining public use of a portion of TPN 251421003 (Meng) and directing the Prosecuting Attorney to file a petition to determine just compensation.

RES. NO. 15-2008 – Adopt the Resolution determining public use of a portion of TPN 251421004 (Yukluk) and directing the Prosecuting Attorney to file a petition to determine just compensation.

RES. NO. 16-2008 – Adopt the Resolution determining public use of a portion of TPN 251422002 (Domanic) and directing the Prosecuting Attorney to file a petition to determine just compensation.

RES. NO. 17-2008 – Adopt the Resolution determining public use of a portion of TPN 251433001 (Grant) and directing the Prosecuting Attorney to file a petition to determine just compensation.

RES. NO. 18-2008 – Adopt the Resolution determining public use of a portion of TPN 251433003 (Cade) and directing the Prosecuting Attorney to file a petition to determine just compensation.

ORD. NO. 7-2008- (Refer to PUBLIC HEARING at 1:00 p.m. for details of action taken.)

PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS:

1. Neah Bay Year-round Rescue Tug – Chair Rosenfeld noted that Council member Ranker requested the Council send an email to Senator Harriet Spanel, Representative Dave Quall, Representative Jeff Morris, and Keith Phillips requesting immediate funding for the Neah Bay year-round rescue tug.

2. Unanimous Support of HB2718 – The Council unanimously reconfirmed their support of HB2718 as one of the top 2008 San Juan County Legislative Priorities. That priority specifically requested that the state “develop a predictable and sustainable source of state funding for ferry operations and involve impacted local governments in important decisions that impact our communities.” A letter was sent to Senator Harriet Spanel, Representative Dave Quall, Representative Jeff Morris, and Senator Mary Margaret Haugen requesting that a hearing be scheduled for this important legislation.

3. Orcas Farmers Market – Chair Rosenfeld asked CA, Pete Rose, if craft vendors qualify for reduced fees. Mr. Rose reported that he hadn’t heard back from the Parks Department on this issue. Knapp asked if farmers were still paying fees at the Orcas Farmers Market and thought they no longer needed to. Myhr commented that the Council decided to not charge fees to offset the lease cost and asked Pete Rose to speak with the Farmers Market Coordinator and Dona Wuthnow, Parks Superintendent, as to what is the best course of action.

4. Veterans’ Advisory Board – Alan Lichter announced that this is the first time San Juan County has had a Veterans’ Advisory Board to administer the Veterans’ Assistance Fund and the County now has a Board by Ordinance and will be publicizing this information to let all Veterans know of its existence.

PUBLIC HEARINGS

11:00 a.m. - A public hearing was held to consider Acquisition of Real Property (Fisherman Bay Road) For Public Purposes under Power of Eminent Domain and on A Resolution Determining Public Use and Directing the Prosecuting Attorney to File a Petition to Determine Just Compensation. Present: Full Council with exception of Ranker; Jon Shannon, Director Public Works; Karen Vedder, DPA; Stan Matthews, Communications Program Manager; John VanLund, County Engineer; Laura Tuttle, Clerk to the Council; Maureen See, Council Department Assistant; Valarie Graham, Council Deputy Clerk; and interested members of the public. John VanLund addressed the Council and reported that the project is a safety improvement project at the two 90 degree turns on Fisherman Bay Road, 1 ¾ miles long, and is the largest project since Cattle Point Road. Mr. VanLund also reported that a 1.6 Million Federal Enhancement Grant had been received to allow burying of utilities and provide a paved sidewalk to the library. Public testimony was opened at 11:15 a.m. Barbara Grant addressed her issues to the Council. Richard Cade also addressed the Council with his issues of value but had no objection to the project. Doug Saar, attorney for the Keep it Clean Laundromat addressed the Council about septic and wastewater concerns. John Yukluk addressed the Council with concerns about moving his well and Ron Meng addressed the Council about his Crossroad Arena being too close to the road and asked about a buffer and landscape design. Public testimony was submitted, and closed. Deliberations were held and the following action was taken:

Moved by Myhr, seconded by Knapp, to adopt A Resolution accepting two easements, appropriating funds, and authorizing payments for Fisherman Bay Road Right-of-Way acquisition CRP 030702 and adopt a Resolution determining public use of a portion of TPN #'s and directing the Prosecuting Attorney to file a petition to determine just compensation. Motion carried unanimously.

RECESS – Council Chair Rosenfeld recessed the meeting until 12:40 p.m.

COUNTY ADMINISTRATOR COUNCIL BRIEFING

County Administrator Council Briefing. Also present: Jon Shannon, Director Public Works; Karen Vedder, DPA; Stan Matthews, Communications Program Manager; John VanLund, County Engineer; Laura Tuttle, Clerk to the Council; Maureen See, Council Department Assistant; Valarie Graham, Council Deputy Clerk; and interested members of the public.

1. Introduction of Proposed New Ordinances regarding 1) Fair Board; 2) Public Records Ordinance; 3) Stormwater; 4) Uniform Policies and Procedures for Boards, Commissions and Committees; and 5) Rules of Order San Juan County Appointed Boards, Commissions and Committees; 6) Parks and Recreation Board. – Pete Rose, CA introduced Proposed New Ordinances to the Council and the following action was taken:

Moved by Myhr, seconded by Lichter, to move the Fair Board Ordinance to public hearing. Motion carried unanimously.

Moved by Myhr, seconded by Lichter, to move the Public Records Ordinance to public hearing. Motion carried unanimously.

Moved by Peterson, seconded by Lichter, to move the Uniform Policies and Procedures for Boards, Commissions and Committees Ordinance to public hearing. Motion carried unanimously.

Moved by Peterson, seconded by Lichter, to move the Rules of Order for San Juan County Appointed Boards, Commissions and Committees Ordinance to public hearing. Motion carried unanimously.

Moved by Lichter, seconded by Knapp, to move Parks and Recreation Board Ordinance to public hearing. Motion carried unanimously.

The Council by general consensus agreed not to send the Stormwater Ordinance to public hearing until the Council had an opportunity to discuss this Ordinance in public meetings on Orcas, Lopez and San Juan Islands and agreed to post the preliminary Ordinance on the website to receive public comments.

2. Request of County Administrator for Excused Absences for upcoming meetings – Pete Rose addressed the Council to ask to be excused from upcoming meetings due to his vacation schedule.

3. County Administrator Supervision of Council Clerk – CA, Pete Rose suggested that Council delay discussion. Chair Rosenfeld agreed and indicated that the topic would be considered after hiring a new clerk.

PUBLIC HEARINGS

1:07 p.m. - A **continued** public hearing was held to consider An Ordinance Regarding the Lodging Tax; Amending Chapter 3.16 of the San Juan County Code and Adding a New Section to Chapter 3.16 Regarding The Economic Impact Reports To Ensure Consistency With The San Juan County Charter and State Law and Repeal Resolution 128-2002. Present: Full Council with exception of Ranker; Pete Rose, CA; Stan Matthews, Communications Program Manager; Laura Tuttle, Council Clerk; Maureen See, Council Assistant; Valarie Graham, Council Deputy Clerk; and interested members of the public. Public testimony was opened, submitted by Mark Thompson Klein regarding promoting museums, and closed. Myhr asked CA Rose if this revised ordinance meant that the funds of the "promotions account" would now be available to support "operations"; Mr. Rose said yes. Deliberations were held and the following action was taken:

Moved by Peterson, seconded by Myhr, to adopt An Ordinance Regarding the Lodging Tax; Amending Chapter 3.16 of the San Juan County Code and Adding a New Section to Chapter 3.16 Regarding The Economic Impact Reports To Ensure Consistency With The San Juan County Charter and State Law and Repeal Resolution 128-2002. Motion carried unanimously.

DISCUSSION

Ferry Policy Positions – Chair Rosenfeld reported the new WSF Director, David Moseley, is coming to the San Juan Islands to meet with the Council and the FAC. Peterson suggested a PowerPoint presentation showing full staging lanes in Anacortes heading to the San Juan Islands, photos of walk-on passengers on inter-island ferries and the need to acquire statistics for walk-ons. Jim Smith, FAC member, stated the FAC was making a good attempt to get good data and thought with electronic ticketing the information would be easier to access but reported the data isn't available from WSF. Jon Shannon, Director Public Works, suggested putting car counters on each ferry terminal and offered County equipment to achieve this task. The new Chair of the FAC was discussed as well as how long it takes to understand how the ferry system works. Lichter asked Mr. Smith what is the feeling of Ed Sutton serving as Pro-tem Chair. Mr. Smith said his observation was positive.

ADJOURNMENT - Moved by Peterson, seconded by Knapp, to adjourn the meeting at 2:25 p.m. Motion carried. Council Chair Rosenfeld adjourned the meeting at 2:25 p.m. A Staff Meeting/Work Session was scheduled for Monday, March 3, 2008, and the next regular meeting was scheduled for Tuesday, March 4, 2008.

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

Howard Rosenfeld, Chair
District 3, Friday Harbor

ATTEST: Clerk of the Council

By: _____
Valarie Graham, Deputy Clerk

Gene Knapp, Vice-Chair
District 5, Orcas East

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