

**SUMMARY OF THE MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
December 3, 4, 5, 2007**

Monday, December 3, 2007 - Council Conference Room

CALL TO ORDER – REGULAR STAFF MEETING AND WORK SESSION

Council Chair Bob Myhr called the staff meeting to order at 10:00 a.m. Council members Kevin Ranker, Rich Peterson, Howard Rosenfeld, Gene Knapp, and Alan Lichter; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; 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 meeting with Harriet Spanel and Dave Quall. Randall Gaylord, PA, discussed the Eastsound Sewer District's annexation of three Rosario water areas and the need to call a special meeting on Orcas Island. The Clerk of the Council provided an update on Council office and staff work.

RECESS - At 11:30 a.m., Council Chair Myhr recessed the meeting until 2:00 p.m.

CALL TO ORDER (Council Hearing Room)

Council Chair Myhr called the meeting to order at 2:00 p.m. Council members Kevin Ranker, Rich Peterson, Howard Rosenfeld and Gene Knapp; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; County Administrator, Pete Rose; Health and Community Services Director, John Manning; Public Works Director, Jon Shannon; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present.

WORK SESSION BUDGET REVIEW

Chair Myhr stated the purpose of the meeting was to review department budgets of the entire County that began on November 28, 2007. Pete Rose, CA, asked John Manning to specify the request for a hydrogeologist in the 2008 budget. Mr. Manning responded that only 5K of the 20K that is in the 2007 budget was going to be spent this year and the 20K requested for 2008 would be spent in 2008. Myhr questioned the homelessness funds. Mr. Manning stated that the funds could be used for prevention of homelessness, affordable housing, emergency shelter and rental assistance. Mr. Manning also noted that the 60K collected in this fund could be used to fund the Affordable Housing Coordinator for two years.

Kevin Ranker informed the Council that the Orca Whale Ordinance does not have funding for the Sheriff in 2008. Ranker also noted that the upcoming short legislative session will determine if the program will be funded by the State. Chair Myhr questioned the Superior Court Budget. Pete Rose, CA, stated that he felt comfortable with the amount asked for. Milene Henley, Auditor, stated that the County pays half of the Superior Court Judge's salary and no benefits.

The Council asked Jon Shannon, Director of Public Works, to answer questions relating to stormwater issues. Peterson questioned the maintenance funding for 2008. Mr. Shannon stated that 251K had been budgeted for maintenance in the 2008 budget. Rosenfeld asked about the land acquisition. Mr. Shannon stated the money would be spent on the right-of-way for Fishermans Bay Road. Mr. Shannon asked the Council to consider borrowing 1 million dollars to accomplish 3 things: fuel depots on San Juan Island and Orcas, a radio system upgrade and a land acquisition on Lopez Island that would be phased in over 2 fiscal years. Peterson asked if Homeland Security can help with the communication upgrade, could they also help fund the fuel depots. Mr. Shannon replied that the radio system upgrade was a serious issue. Workers at night have no communication with each other. Mr. Shannon stressed to the Council that these are lifecycle projects and can't be purchased without the loan.

Chair Myhr adjourned the meeting at 3:57 p.m. until 10:00 a.m. December 4, 2007.

Tuesday, December 4, 2007 - Council Hearing Room

CALL TO ORDER

Council Chair Myhr called the meeting to order at 10:00 a.m. Council members Kevin Ranker, Rich Peterson, Howard Rosenfeld, Gene Knapp, and Alan Lichter; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; County Administrator, Pete Rose; Public Works Director, Jon Shannon; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present.

The flag salute was conducted.

CITIZEN ACCESS TIME

No matters were brought before the Council.

ANNOUNCEMENTS/SCHEDULE CHANGES

The posted Council Agenda was revised.

APPROVAL OF MINUTES

Moved by Lichter, seconded by Ranker, to approve the Minutes of **November 26, 27, 28, 2007**. Motion carried.

CONSENT AGENDA

Moved by Peterson, seconded by Lichter, to approve the **Final Consent Agenda of December 4, 2007** as follows: (Note: two additional items added to Final Consent Agenda of December 4, 2007)

The County Council moves to:

A. Resolutions/Ordinances: (No items.)

B. Contracts/Agreements:

1. Sign Interlocal Agreement with Lopez Schools for Mental Health Services to provide mental health assessments, short-term counseling and consultation for school-age children and their families. The North Sound mental Health Administration Federal Block Grants amount is \$4,000. The term of the contract period is from October 1, 2007 to September 30, 2008 (SJC Agreement No.07HC73)
2. Sign Interlocal Cooperation Agreement to Jointly Bid the Acquisition of Goods and Services. This Agreement is entered into between San Juan County and San Juan County Fire Protection District No. 5, to provide for the ability of both parties to use the small works roster, vendor list, and list of firms providing architectural and engineering services kept by the County (for services and materials up to \$10,000.00). Duration of the agreement is a term of seven (7) years from the date of execution or until cancelled by either party in writing. (SJC Agreement No. 07RD69)

C. Budget Items: (No items.)

D. Personnel: (No items.)

E. Letters:

1. Sign Letter of appreciation to Elizabeth Wingren for five years of service to San Juan County.
2. Sign Letter of appreciation to Vikki Hansen for five years of service to San Juan County.
3. Sign Letter of appreciation to Elizabeth Pillow for five years of service to San Juan County.
4. Sign Letter of appreciation to Fred Schaller for five years of service to San Juan County.
5. Sign Letter of appreciation to Jim Ricks for five years of service to San Juan County.
6. Sign Letter of appreciation to Helen Venada for five years of service to San Juan County.
7. Sign Letter of appreciation to Richard Lee for ten years of service to San Juan County.
8. Sign Letter of appreciation to Gary Gibbons for ten years of service to San Juan County.
9. Sign Letter of appreciation to Nancy St. Pierre for ten years of service to San Juan County.
10. Sign Letter of appreciation to Lynda Guernsey for fifteen years of service to San Juan County.

11. Sign Letter of appreciation to Barbara LaBrash for fifteen years of service to San Juan County.
12. Sign Letter of appreciation to Jeff Clark for fifteen years of service to San Juan County.
13. Sign Letter of appreciation to Marion Melville for twenty-five years of service to San Juan County.
14. Sign Letter appointing Carter Shelley to the Orcas Island Library Board, for a five year term, beginning on 1/1/08 and expiring on 1/1/2013.
15. Sign Letter appointing Lois Ann Cornell to the Orcas Island Library Board, for a three-year term, beginning on 1/1/08 and expiring on 1/1/2011.

F. Employee Recognition Certificates:

1. Sign Employee Recognition Certificate to Elizabeth Wingren for five years of service to San Juan County.
2. Sign Employee Recognition Certificate to Vikki Hansen for five years of service to San Juan County.
3. Sign Employee Recognition Certificate to Elizabeth Pillow for five years of service to San Juan County.
4. Sign Employee Recognition Certificate to Fred Schaller for five years of service to San Juan County.
5. Sign Employee Recognition Certificate to Jim Ricks for five years of service to San Juan County.
6. Sign Employee Recognition Certificate to Helen Venada for five years of service to San Juan County.
7. Sign Employee Recognition Certificate to Richard Lee for ten years of service to San Juan County.
8. Sign Employee Recognition Certificate to Gary Gibbons for ten years of service to San Juan County.
9. Sign Employee Recognition Certificate to Nancy St. Pierre for ten years of service to San Juan County.
10. Sign Employee Recognition Certificate to Lynda Guernsey for fifteen years of service to San Juan County.
11. Sign Employee Recognition Certificate to Barbara LaBrash for fifteen years of service to San Juan County.
12. Sign Employee Recognition Certificate to Jeff Clark for fifteen years of service to San Juan County.
13. Sign Employee Recognition Certificate to Marion Melville for twenty-five years of service to San Juan County.

G. Miscellaneous: (No items.)

H. Bid Openings: (No items.)

Motion carried.

ACTION AND DISCUSSION ITEMS

ORDINANCES/RESOLUTIONS:

- ORD. NO. 49-2007-** (Refer to PUBLIC HEARING at 1:45 p.m. for details of action taken.)
ORD. NO. 50-2007- (Refer to PUBLIC HEARING at 2:00 p.m. for details of action taken.)
ORD. NO. 51-2007- (Refer to PUBLIC HEARING at 2:15 p.m. for details of action taken.)
ORD. NO. 52-2007- (Refer to PUBLIC HEARING at 2:30 p.m. for details of action taken.)
ORD. NO. 53-2007- (Refer to PUBLIC HEARING at 2:45 p.m. for details of action taken.)

PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS:

- 1. Agricultural Resource Committee Meeting** – Kevin Ranker updated the Council on the last meeting of the year for ARC. ARC is developing their work plan for 2008 and was curious where the Council stands on agriculture. The committee agreed to find resources and asked several questions regarding CAO, lodging tax monies, and the idea of having a year-round farmers' market on San Juan Island.
- 2. Orca Whale Protection Ordinance & Oil Spill Advisory Council** – Kevin Ranker updated the Council on his meeting last week with King County Executive, Ron Sims, who agreed to write a letter to the Governor to move on the Oil Spill Advisory Council. Ironically, the Orca whales paid a visit to Puget Sound and Mr. Sims realized that the Orca Whale Protection Ordinance doesn't just apply to San Juan County; it is a King County issue as well. Pete Rose stated that King County has a lot of "sway" in Olympia.
- 3. San Juan County Credit Card Procedures** – Milene Henley, Auditor, informed the Council about the change in credit card procedures for San Juan County. Ms. Henley stressed what an important tool credit cards are to many departments. Ms. Henley also noted that there are accountability issues. The Eden accounting software has the capability to track each charge but not for travel purposes. Personal credit cards should be used for

travel-related expenses and the County card should be used for vendor purchases. After further discussion, the following action was taken:

Moved by Ranker, seconded by Knapp, to move forward to public hearing the Charter Implementation Revision of Ordinance 2.10.010, Section 12 (with changes). Motion carried.

4. Election of County Council Officers 2008 – Chair Myhr opened the discussion to elect the new County Council Officers for 2008. After a brief discussion, the following action was taken:

Moved by Lichter, seconded by Ranker, (Lichter noted: Howard Rosenfeld has done an excellent job as Vice-Chair in the past) to elect Howard Rosenfeld as the new Chair of the SJC Council for 2008. Motion carried unanimously.

Moved by Ranker, seconded by Peterson, to elect Gene Knapp as Vice-Chair of the SJC Council for 2008. Motion carried unanimously.

5. Eastsound Sewer District Annexation of Rosario Water Areas – Chair Myhr informed the Council that a public hearing needs to be held on Orcas Island on December 21, 2007 so citizens can express their views regarding the annexation to the Eastsound Sewer District and be able to vote on the issue in the February 2008 election. Randall Gaylord, PA noted that the Council has to decide if it is conducive to public health and welfare. Mr. Ranker expressed concern that the Council is being asked to make decisions on technical water and sewer issues. Mr. Gaylord suggested having qualified staff at the public hearing from Health & Community Services and Public Works.

6. Washington State Ferries overview of 2007 legislated activities, status report – Ray Deardorf, WSF Planning Director and Jayne Davis, Director of Operations addressed the Council to discuss the 3-year ferry-finance work plan/financial study and the 2 year WSF activities and public outreach timeline. Mr. Deardorf stated that the long range planning has been put on hold and WSF hasn't been able to respond in a meaningful way until the finance study is complete. Mr. Deardorf stated that fuel and labor are now a moot point with labor matters moved to the Governor's office from the Department of Transportation. Mr. Deardorf addressed the shortcomings of terminal design standards, operational and pricing strategies, and the methodology for measuring level of service. Kevin Ranker stated that nowhere on the diagrams presented to Council did it show where local government had an opportunity to add comments. Alan Lichter asked to hear about the status of steel electric ferries. Mr. Deardorf explained that 4 ferries are out of service. The Quinalt was in drydock and upon inspection, significant hull pitting was found. The Quinalt should be repaired in February 2008 which will allow WSF to resume service on the Port Townsend ferry route. The Illahee is in drydock and has had substantial work done but interior hull work is needed. The Evergreen State has a larger crew and burns more fuel and in order for WSF to ensure its use over the next few years, the maintenance crew feels the engines need to be rebuilt. The lead-time for ordering parts is unknown because the company that built the engines is out of business. The only ferry left is the Sims and it is too small. When the Evergreen State is able to resume, the Hiyu should transfer to the lowest traffic period and shortest time route. Mr. Deardorf did say that WSF does want the Evergreen State to be a viable player in the San Juan area but they are not sure of the engine work. Rosenfeld commented that WSF doesn't own the vessels. The depreciation rights were sold during the 1980's on several vessels. Ranker asked what is happening to the Friday Harbor Master Plan. Jayne Davis responded that WSF has to go through this current process before they can address the Master Plan because capital funding was frozen. Mr. Deardorf did admit that not enough attention was paid to the San Juan Islands. Mr. Ranker asked Mr. Deardorf, who was his new boss? Bob Distler, WA State Transportation Commissioner, responded that the period for submitting applications is still open, a dozen have been received and interviews should be complete at the end of January, 2008. Ranker stated that the first time WSF allows for public input is after the 2008 Legislative session. Local governments represent the public and local governments need to be involved and have a seat at the table at the very beginning of the planning process. All 39 counties endorse this and the Washington State Association of Counties is going straight to the government. Ranker stressed the point that this isn't a decision for WSF; the local governments have to be partners in the plan. Ranker also stressed the importance of performing an economic analysis. The ferries have a very serious impact on the local economy. Ranker also noted the ferries are a state-wide economic benefit and that ferries are an extension of the highway system. Lichter noted that having a local seat at the table is a very serious issue which will be addressed at the Ferry Summit on December 7, 2007. Ranker suggested two seats, one for counties and one for cities. Mr. Distler stated the State doesn't have the yard capability for all the repairs that are needed and that the ferry system is running on baling wire with

4 ferries taken out of service. Mr. Distler also stated that fares have to close the gap in the budget and the legislation says WSF doesn't have to offer reduced-price ferry tickets.

12:00 Noon Employee Recognition Ceremony

The following employees of San Juan County were recognized in a ceremony with full Council and were awarded a letter of appreciation and Employee Recognition Certificates for their years of service with the County:

- Elizabeth Wingren for 5 years of service
- Vikki Hansen for 5 years of service
- Elizabeth Pillow for 5 years of service
- Fred Schaller for 5 years of service
- Jim Ricks for 5 years of service
- Helen Venada for 5 years of service
- Richard Lee for 10 years of service
- Gary Gibbons for 10 years of service
- Nancy St. Pierre for 10 years of service
- Lynda Guernsey for 15 years of service
- Barbara LaBrash for 15 years of service
- Jeff Clark for 15 years of service
- Marion Melville for 25 years of service

RECESS AT 12:30 p.m. Chair Myhr recessed the meeting until 1:30 p.m.

PUBLIC HEARINGS

1:30 p.m. - A public hearing was held to consider An Ordinance Amending Fee Provisions of the Building Codes. Present: Full Council; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; County Administrator, Pete Rose; Public Works Director, Jon Shannon; Community Development and Planning Director, Ron Henrickson; CD&P Deputy Director/Building Official, Rene Beliveau; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present. Ron Henrickson addressed the Council and informed them that this ordinance simply allows the Council to establish a new fee schedule. Lichter asked if this ordinance would change the fee permit for Owner/Builder. Mr. Henrickson responded that no, it lets you establish the fee schedule, you can leave the owner/builder as it is. Public testimony was opened, submitted and closed. Deliberations were held and the following action was taken: Chair Myhr continued the public hearing until after the 2008 Fee Schedule hearing was heard.

1:45 p.m. (Commenced at 1:51 p.m. due to time constraints) - A public hearing was held to consider an Ordinance Adopting Fees for Services Provided By The San Juan County Community Development And Planning Department And Repealing Ordinance 8-2006. Present: Full Council; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; County Administrator, Pete Rose; Public Works Director, Jon Shannon; Community Development and Planning Director, Ron Henrickson; CD&P Deputy Director/Building Official, Rene Beliveau; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present. Ron Henrickson informed the Council that the new fee schedule for CD&P would pay for the costs of issuing the permits. Public testimony was opened, submitted and closed. Deliberations were held and the following action was taken:

Moved by Lichter, seconded by Peterson to adopt An Ordinance Adopting Fees For Services Provided By The San Juan County Community Development And Planning Department And Repealing Ordinance 8-2006, except there will be no change in fees in this Ordinance for owner-builder permits, and CD&P will return to the Council in the first quarter of 2008 with new information and recommendations for possible adjustments to owner-builder fee schedules. Motion carried.

Chair Myhr closed the continued hearing from 1:30 p.m. No action was taken.

2:00 p.m. (Commenced at 2:55 p.m. due to time constraints) A public hearing was held to consider an Ordinance Amending SJCC Chapter 3.26 Regarding Sales And Use Tax To Be Credited Against The State Tax For Purposes Of Financing Public Facilities. Present: Full Council; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; County Administrator, Pete Rose; Public Works Director, Jon Shannon; Community

Development and Planning Director, Ron Henrickson; CD&P Deputy Director/Building Official, Rene Beliveau; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present. Milene Henley informed the Council that the proposed increase in tax would be used for economic development. Public testimony was opened, none submitted and closed. After deliberations the following action was taken:

Moved by Ranker, seconded by Rosenfeld, to adopt An Ordinance Amending SJCC Chapter 3.26 Regarding Sales And Use Tax To Be Credited Against The State Tax For Purposes Of Financing Public Facilities. Motion carried.

2:15 p.m. (Commenced at 3:00 p.m. due to time constraints)) A public hearing was held to consider an Ordinance of San Juan County, WA, Setting The Property Tax Levy For Land Conservation Futures For 2008. Present: Full Council; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; County Administrator, Pete Rose; Public Works Director, Jon Shannon; Community Development and Planning Director, Ron Henrickson; CD&P Deputy Director/Building Official, Rene Beliveau; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present. Pete Rose informed the Council that a 1% increase in property tax is asked for and Conservation Futures go to the Land Bank. Public testimony was opened, none submitted, and closed. After deliberations the following action was taken:

Moved by Ranker, seconded by Knapp, to adopt An Ordinance of San Juan County, WA, Setting The Property Tax Levy For Land Conservation Futures For 2008. Motion carried unanimously.

2:30 p.m. (Commenced at 3:05 p.m. due to time constraints) A public hearing was held to consider An Ordinance Of San Juan County, WA, Setting The Property Tax Levy For County Roads For 2008. Present: Full Council; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; County Administrator, Pete Rose; Public Works Director, Jon Shannon; Community Development and Planning Director, Ron Henrickson; CD&P Deputy Director/Building Official, Rene Beliveau; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present. Pete Rose informed the Council that a 1% increase above the current road tax levy is being asked and also, a levy shift to the Sheriff. Public testimony was opened, none submitted, and closed. After deliberations the following action was taken:

Moved by Lichter, seconded by Rosenfeld, to adopt An Ordinance Of San Juan County, WA, Setting The Property Tax Levy For County Roads For 2008. Motion carried unanimously.

2:45 p.m. (Commenced at 3:08 p.m. due to time constraints) A deliberation was held to consider An Ordinance Of San Juan County, WA, Setting The Property Tax Levy For Current Expense For 2008. Present: Full Council; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; County Administrator, Pete Rose; Public Works Director, Jon Shannon; Community Development and Planning Director, Ron Henrickson; CD&P Deputy Director/Building Official, Rene Beliveau; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present. Pete Rose informed the Council that a 1% increase over the previous tax levy is being asked and reminded the Council that the required public hearing had been held on November 6, 2007. After further discussion, the following action was taken:

Moved by Ranker, seconded by Rosenfeld, to adopt An Ordinance Of San Juan County, WA, Setting The Property Tax Levy For Current Expense For 2008. Motion carried unanimously.

3:00 p.m. (Commenced at 3:20 p.m. due to time constraints) A public hearing was held to consider An Ordinance Adopting the San Juan County Budget for 2008. Present: Full Council; Auditor, Milene Henley; Prosecuting Attorney, Randall Gaylord; County Administrator, Pete Rose; Public Works Director, Jon Shannon; Community Development and Planning Director, Ron Henrickson; CD&P Deputy Director/Building Official, Rene Beliveau; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present. Pete Rose addressed the Council, stating the Charter mandates adopting the Budget for 2008 before the end of the year. Mr. Rose stated that the County has a new Auditor and the budget shows more detail compared to previous years. Ms. Henley stated that the budgeting process has gotten better and the use of the Eden Accounting software is being used more fully to its capabilities. Public testimony was submitted by, John Evans, Gordy Pederson, Rollie Sauer, and Jack Cory; and closed. After further discussion, the following action was taken: **Vice-Chair Rosenfeld continued the public hearing until 2:00 p.m. on December 11, 2007.**

RECESS Council Vice-Chair Rosenfeld recessed the meeting at 4:18 p.m. A Special Meeting was scheduled for Wednesday, December 5, 2007, and a Special Meeting was scheduled for Monday, December 10, 2007 and the next regular meeting was scheduled for Tuesday, December 11, 2007.

Wednesday, December 5, 2007 – Majestic, 419 Commercial, Anacortes, WA

12:30 p.m. A Special Meeting was held on December 5, 2007. Present: Full Council; Senator Harriet Spanel; Representative Dave Quall; Deputy Clerk to the Council, Valarie Graham. The meeting was held to discuss the San Juan County adopted 2008 Legislative Priorities and issues affecting San Juan County and the State of Washington, both currently and in the future.

The meeting was adjourned at 3:00 p.m.

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

Bob Myhr, Chair
District 6, Lopez/Shaw

ATTEST: Clerk of the Council

Howard Rosenfeld, Vice Chair
District 3, Friday Harbor

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

Gene Knapp, Member
District 5, Orcas East