

**SUMMARY OF THE MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
Monday July 30, 2007**

**Tuesday, July 31, 2007 - Council Hearing Room**

**CALL TO ORDER**

Council Bob Chair Myhr called the meeting to order at 10:00 a.m. Council members Kevin Ranker, Rich Peterson, Howie Rosenfeld, Gene Knapp, and Alan Lichter; County Administrator, Pete Rose; Clerk to the Council, Laura Tuttle; and interested members of the public were present. The flag salute was conducted.

**CITIZEN ACCESS TIME**

Jack Cory suggested keeping Agenda information intact and without change as much as possible, and to be more complete in information provided to public (i.e. MRC Letter of Intent for 7/31/2007, what was it in regard to).

**ANNOUNCEMENTS/SCHEDULE CHANGES**

The posted Council Agenda was revised and posted outside the Council Hearing Room, and in the Courtroom Lobby bulletin board by the entrance door in the morning of July 31, 2007 prior to commencement of the Meeting.

**APPROVAL OF MINUTES**

Moved by Alan Lichter, seconded by Kevin Ranker, to approve the Minutes of **July 16 and July 17, 2007**. Motion carried unanimously.

**CONSENT AGENDA**

Moved by Howie Rosenfeld, seconded by Kevin Ranker, to approve the **Final Consent Agenda of July 31, 2007** as follows:

**A. Resolutions / Ordinances:**

1. **Resolution 27-2007:** Adopting the San Juan County Marine Stewardship Area Plan (FOR SIGNATURE ONLY), public hearing having been held on June 17, 2007.
2. **Resolution 29-2007:** Adopting a resolution denying an appeal, and upholding the Public Works Director's decision to deny a request for service charge adjustment, for Gordon & Lori Petersen, file PW No. 01-07.

**B. Contracts/Agreements:**

1. Approval of the Milagra Water Services Agreement, SJC Agreement No. 07CDPD23.
2. Approval of CMZ310 Grant Agreement No. G0800007 (MRC Grant from DOE), SJC Agreement No. 07CDPD22.
3. Approval of the Land Bank Lease Renewal, SJC Agreement No. SJC 07LB06.
4. Approval of Agreement of Contract MSMHA San Juan County Jail Services-06-07, Amendment (2), Health and Community Services Jail Services Contract Amendment, SJC Agreement No. 07HC04B.
5. Approval of Agreement of Contract for Interlocal Livestock Grazing Agreement between SJC and WSU, through the County Noxious Weed Board and Port of Friday Harbor, Agreement No. SJC07AG01.

**C. Letter:**

1. Letter appointing Ann S. Palmer, of Lopez Island, WA, to the San Juan County Park Board, as a representative from Lopez Island, Position #5, the term of which is to commence immediately and expire on June 30, 2012.

**D. Map:**

1. Map Entitled “Figure 1 - Deer Harbor Land Use Plan.” (For signature only.)

## **ACTION AND DISCUSSION ITEMS**

### ORDINANCES/RESOLUTIONS:

**ORD. NO. 28-2007** - Moved by Alan Lichter, seconded by Howie Rosenfeld, to adopt the ordinance Amending San Juan County Code Chapters 2.40 and 12.08 Regarding Policies of the County Parks and Recreation Board Motion carried.

**RES. NO. 30 -2007-** Moved by Alan Lichter to approve, 2d by Howie Rosenfeld, Motion carries unanimously to Approve Resolution Declaring the Intent to Vacate and Abandon Portions of County Road Right-of-Way, (AFN 365474) in Government Lot 2 of the Northeast Quarter and Government Lot 3 of the Southeast Quarter of Section 1, Township 36 North, Range 3 West, W.M.

### COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS:

**10:08 a.m. Auditor Milene Henley:** RCW 29A.32.280 requires Auditor nominate no more than three persons to serve on committees to prepare arguments favoring and opposing Referendum 2007-1, for inclusion in the Voters Pamphlet for the general election on November 6, 2007.

Committee nominating in favor “for” rejecting Ordinance is that committee for repealing Referendum. The “for” the Ordinance Committee is: Alexander Gavora, Francine Shaw, and Julie Palmer. The Committee “against” the Ordinance is: Lisa Byers, Peter Kilpatrick, and Jim Slocomb

**10:12 a.m. Motion to Approve Committees Moved by Alan Lichter, Seconded by Kevin Ranker. All in Favor is Unanimous. Motion Carried.**

**10:12 a.m. Sheriff Bill Cumming:** Resolution No. 28-2007, A RESOLUTION OF THE SAN JUAN COUNTY COUNCIL, ADOPTING POLICY PROTECTING INDIVIDUALS ENGAGED IN NONVIOLENT CIVIL RIGHTS DEMONSTRATION.

Discussion: Gene Knapp concerns re: wording, “It is the policy of San Juan County that excessive force by local law enforcement agencies shall not be used against individuals engaged in lawful and nonviolent civil rights demonstrations...” gives an implication that we will use excessive force in other areas.

Sheriff Bill Cumming suggests working to correct any misconception, to begin after the words “Section 1”: “In keeping with the policy and standard practices of the San Juan County Sheriff’s office,” precede “It is the POLICY...”

**Chair Bob Myhr moves for a motion to take action to include phrase** “In keeping with the policy and standard practices of the San Juan County Sheriff’s office,” precede “It is the POLICY...”

**Kevin Ranker Adopting Resolution as given with addition of language noted. Gene Knapp seconds. Motion carries unanimously.**

**10:17 a.m. John Van Lund, County Engineer, Public Works:** requests approval of Resolution No. 30-2007, DECLARING THE INTENT TO VACATE AND ABANDON PORTIONS OF COUNTY ROAD RIGHT-OF-WAY, (AFN 36574) IN GOVERNMENT LOT 2 OF THE NORTHEAST QUARTER AND GOVERNMENT LOT 3 OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 3 WEST, W.M.

Purpose of Resolution is for County Council to direct John Van Lund to conduct an engineering study pursuant to the Revised Code of Washington and San Juan County Code, on feasibility of vacating Park Cormorant Road.

**10:27 a.m.** Alan Lichter Moves to approve Resolution No. 30-2007, DECLARING THE INTENT TO VACATE AND ABANDON PORTIONS OF COUNTY ROAD RIGHT-OF-WAY, (AFN 36574) IN GOVERNMENT LOT 2 OF THE NORTHEAST QUARTER AND GOVERNMENT LOT 3 OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 3 WEST, W.M. Chair Bob Myhr acknowledges Lichter has moved for a motion. Howie Rosenfeld seconds motion. Motion carries by unanimous approval.

**10:30 a.m.** Chair Bob Myhr moves to open discussion: re: Lobbying and other Travel Work Committee. Discussion includes Kevin Ranker opines this Committee would be comprised of Howie Rosenfeld, Gene Knapp and Kevin Ranker, to study how Council can be proactive with federal and state legislations more effectively. The subcommittee would study gamut from a professional lobbyist to needs of travel concerned with Council interaction with federal and state legislations, then report back to Council. Alan Lichter states that Lobbyist involved with our small county should never be engaged and that per diem compensation for Council compensation associated with this type of travel seems a bit untoward.

**10:44 a.m.** Chair Bob Myhr appoints sub committee of Council Members Rosenfeld, Knapp and Ranker for the purpose to study (1) how can the County be more proactive in federal and state legislative matters and (2) do we need incentives.

**10:45 a.m.** Chair Bob Myhr seeks to place MRC Letter of Intent item to the 11:30 time slot since Mary Knackstedt is not present. Howie Rosenfeld moves motion, Gene Knapp seconds. Motion carried.

**10:45 a.m.** Chair Bob Myhr asks for a motion to forward to a Public Hearing Ordinances to Implement the County Charter. Said Ordinances are amendments to Title 1 of the San Juan County Code and include Chapters 1.10.010, and 1.04.010, 1.12 though 1.12.140, Howie Rosenfeld moves and adds it is also to include the Repeal (Chapter 1.20), Gene Knapp concurs and seconds motion. Motion carries unanimously.

**10:48 a.m.** DISCUSSION by Kevin Ranker re: Federal Legislative updates. Ranker was in Washington, DC week before last after being invited to meeting held jointly by NOAA and CSL, attended by 26 other people from coastal states. The purpose of this meeting was future envisioning of coastal management from coastal states. Six meetings held, where coastal zone priorities discussed, spotlighting local community projects and need for protection of Puget Sound.

**11:05 a.m.** Chair Myhr Opens Public Hearing: Dona Wuthnow, Superintendent of Parks, - An Ordinance Amending San Juan County Code Chapters 2.40 and 12.08 Regarding Policies of the County Parks and Recreation Board. Wuthnow states Parks Board Chapter 12.04 was written in 1993, needs updating. This Ordinance would repeal the Parks manual and allow Parks Board, pursuant to RCW36.68 to promulgate their own updated rules regarding the Parks. Next, San Juan County Code 12.08: This proposal is first step in process of Lopez Village Transfer to allow Lopez Chamber to work with Parks and allow Lopez Chamber to operate Lopez Park.

**11:13 a.m.** Chair Myhr opens for public comments. No comments. Enter deliberations. Alan Lichter moves to adopt this Ordinance Amending San Juan County Code Chapters 2.40 and 12.08 Regarding Policies of the County Parks and Recreation Board. Howie Rosenfeld seconds motion. Motion carries unanimous.

**11:14 a.m.** Recess/11:22 Meeting Commences

**11:24 a.m.** Chair Myhr introduces Mary Knackstedt, MRC Coordinator, of CDPD re: Item 2. Discussion of MRC Letter of Intent. Ms. Knackstedt states past notion of nomination San Juan County for the DNR Aquatic programs and benefits of same if a site is nominated. Her intent is to submit this letter of intent to DNR, the application and letter due at end of August; the program she intends to submit would include entire county, looking toward the fit with Marine Stewardship Area. County Administrator Rose suggests that a matrix of

agencies involved with marine stewardship/ecology in our area be produced for Council and to move this matter to August 14, 2007.

**Chair Myhr calls to move this to Consent Agenda of August 14, 2007, at 10:00 a.m.** Knackstedt will send Cypress plan link to Clerk, who will provide it to Council.

Public Comment was invited. 12:00 Chair Myhr thanks Ms. Knackstedt for coming to day and looks forward to seeing her on August 14, 2007.

12:01 Recess

1:36 Meeting Reconvenes. All Council present, along with County Administrator Pete Rose and Programs Communication Director Stan Matthews.

#### COUNTY ADMINISTRATOR COUNCIL BRIEFING

1. **1:36 pm** UGA Updates – Pete Rose and Ron Henrickson: compliance issues involve GMA in Eastsound and Lopez Village, an extension on compliance dates have been applied for both. Ron Henrickson expounds on issues. Eastsound extension request is for 180 days, includes the Sewer District, not able to reach accord on issues. Hearing Board wants to utilize mediator between Sewer Board and San Juan County, no later than August 31, 2007. San Juan County intends to bring DOH and DOE to the meeting, in effort to have Eastsound issues publicly vetted within 65 days. Next, Friday Harbor wants to expand their boundaries.
2. **1:53 pm** Comprehensive Plan Updates -Karin Agosta, Chair of San Juan County Planning Commission opines how much more organized they are now in working with the CDPD on a plan. Chair Myhr inquires if there is a 5 or 10 year requirement to review UGA Ron Henrickson states their review was to be completed in 2005, but may not be complete until 2008. CA Pete Rose points out that 2004 legislature made varied schedules based on urbanization of different counties. San Juan County probably in longest group. The Shoreline Management Plan and the Unified Development Code (UDC) intersect to cause some problems with code enforcement. Chair Myhr thanks Ron Henrickson and states UDC clarification is a high priority. 2:14 discussion ends. County Administrator Pete Rose posits that at the Pagnini, Nantucket, Smart Growth discussion and the issue of Comprehensive Plan docket came up. Ron Henrickson provides a list of redesignations for now (dated July 23, 2007). As to changes in land use map and codes, Mr. Henrickson will give overview of that process and what's pending in land use map and discussing general manner of other areas.

#### **2:15 Break/Reconvene Meeting at 2:30**

**2:30 pm** John Manning, Director of Health and Community Services discusses Housing Bank Resolution and affordable housing problems, desires a more streamlined process for permitting of low income projects. Manning expresses that long delays increase the cost of construction, which is better absorbed by developers in private housing construction. Manning requests a recommended motion that the County Council considers the provision of affordable housing for the citizens of San Juan County to be of the highest priority and requests the County Administrator to work with staff and elected officials to facilitate county approval of projects that meet housing needs.

**3:06 Alan Lichter suggests Motion: to move that the County Administrator convene an appropriate working group, to examine and create policies and programs that can meet housing needs in San Juan County, that that group examine or create policies and programs that can meet housing needs on San Juan County. Motion 2d by Howie Rosenfeld. Alan Lichter deletes “create” from Motion. Chair Myhr states it now reads, “Ask the County Administrator to convene an appropriate working group to examine policies and programs that can meet housing needs in San Juan County.” Motion carried unanimously.**

**3:15 P.M Public Hearing:** Chair Myhr moves to Public Hearing to Consider Adopting the 6-Year Transportation Improvement Program (TIP) – Presented by John Van Lund, San Juan County County Engineer. Chair Myhr acknowledges as present: Rich Peterson, Howie Rosenfeld, Gene Knapp, Kevin Ranker, Alan Lichter, Clerk Laura Tuttle, County Staff members Colin Maycock, Karen Vedder, Esq., John Van Lund, as well as public works Jon Shannon, Rachel Dietzman, Sahannon Wilbur, Dan Vekved Communications Program Director Stan Matthews, and County Administrator Pete Rose.

John Van Lund hands out 6-Yr TIP that resulted from a June 26<sup>th</sup> workshop, stating that the Planning Commission passed the 6-Year Transportation Improvement Program. (Note: Scrivener error on item 17: amount is changed to accurately reflect 70,000). **Motion made by Rich Peterson to adopt the 6 year Transportation Improvement Program, combining items 15 and 18. Howie Rosenfeld seconds Motion. Gene Knapp in favor, Bob Myhr in favor with Alan Lichter and Kevin Ranker opposed. Motion carries.**

**ADJOURNMENT** - Moved by Bob Myhr, seconded by Alan Lichter, to adjourn the meeting at 4:35 PM. Motion carried. Council Chair Myhr adjourned the meeting at 4:35 PM

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**COUNTY COUNCIL  
SAN JUAN COUNTY, WASHINGTON**

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Bob Myhr, Chair  
District 6, Lopez/Shaw

ATTEST: Clerk of the Council

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Howard Rosenfeld, Vice Chair  
District 3, Friday Harbor

By: \_\_\_\_\_  
Laura Tuttle, Clerk

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

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Rich Peterson, Member  
District 2, San Juan North

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Alan Lichter, Member  
District 4, Orcas West/Waldron

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Gene Knapp, Member  
District 5, Orcas East