

**SUMMARY OF THE MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
TUESDAY, SEPTEMBER 5, 2006**

Tuesday, September 5, 2006 - Council Conference Room and Hearing Room

CALL TO ORDER

Council Vice-Chair Myhr called the meeting to order at 10:05 a.m. Council member Ranker; County Administrator, Pete Rose; and Clerk to the Council, Carolyn Morrison, were present. Council Chair Lichter was excused for a planned trip.

CITIZEN ACCESS TIME

Brian Logan - Regarding further information concerning a density issue for his "Woodhaven" affordable housing project on Orcas Island.

ANNOUNCEMENTS/SCHEDULE CHANGES

1. The posted Council Agenda and Discussion/Other Action Agenda were revised.
2. Council Vice-Chair Myhr announced that Councilman Lichter had an excused absence for this session due to a planned trip.

APPROVAL OF MINUTES

Moved by Ranker, seconded by Myhr, to approve the minutes of **August 21 and 22, 2006**. Motion carried.

CONSENT AGENDA

Moved by Ranker, seconded by Myhr, to approve the **Final Consent Agenda of September 5, 2006** with the exception of Item E-1 which was removed and placed on the Discussion/Other Action Agenda, as follows:

A. Contracts/Agreements:

1. **Agreement 06HC41** – Sign the Interagency Agreement between SJC and Island County Health Department for provision of safe transition into community services for people who are mentally ill and incarcerated in the County jail, in the maximum payable amount of \$40,000 for the period of April 1, 2006 through August 31, 2006; under the terms and conditions as listed therein.

B. Budget

1. Approve going forward with the required paperwork to the Auditor for a public hearing to consider an Emergency Appropriation in the amount of \$23,910 from the Capital Improvement Fund for repairs to the Carlson Building and correction of deficiencies existing since its construction, pursuant to direction from the Auditor and County Administrator.

C. Appointments:

1. Approve the appointment of Kyle Davies to the SJC Park Board as a representative of San Juan Island to fill a six-year term which will begin immediately and expire June 30, 2012.
2. Approve the appointment of Edith deChadenedes to the SJC Solid Waste Advisory Committee as a representative of San Juan Island to fill a three-year term which will begin immediately and expire August 31, 2009.
3. Approve the reappointment of William (Bill) Evans to the Lopez Island Library Board of Trustees for a second five-year term which will begin October 1, 2006 and expire September 30, 2011.
4. Approve the appointment of Sandy Playa to the SJC Lodging Tax Advisory Committee as a representative of SJC Parks for a term which will begin immediately and expire December 31, 2007.
5. Approve the appointment of Michael Kaill to the SJC Solid Waste Advisory Committee as a representative of San Juan Island for a four-month term which will begin immediately and expire December 31, 2006.

D. Correspondence:

1. Sign the letter to Kyle Davies confirming his appointment to the SJC Park Board as a representative of San Juan Island.
2. Sign the letter to Edith deChadenedes confirming her appointment to the SJC Solid Waste Advisory Committee as a representative of San Juan Island.
3. Sign the letter to William (Bill) Evans confirming his reappointment to the Lopez Island Library Board of Trustees.
4. Sign the letter to Sandy Playa confirming her appointment to the SJC Lodging Tax Advisory Committee as a representative of SJC Parks.
5. Sign the letter to Michael Kaill confirming his appointment to the SJC Solid Waste Advisory Committee as a representative of San Juan Island.
6. Sign the letter to Lola Deane accepting her resignation from the SJC Lodging Tax Advisory Committee; and, sign the Certificate of Recognition for her service.
7. Sign the letter to Elisabeth C. Byers accepting her resignation from the Eastsound Planning Review Committee; and, sign the Certificate of Recognition for her service.
8. Sign the letter to Frank Hastings thanking him for his interest in becoming a member of the SJC Park Board and informing him that his letter of interest will be kept on file for any future vacancies.
9. Sign the letter to Jo Critchlow thanking her for her interest in becoming a member of the SJC Park Board and informing her that her letter of interest will be kept on file for any future vacancies.
10. Sign the letter to Sandy Bishop, Executive Director of the Lopez Community Land Trust, in support of their various applications to secure grant funding for perpetually affordable housing.
11. Sign the letter to Sandy Bishop, Executive Director of the Lopez Community Land Trust, in support of their application to the Northwest Energy Alliance seeking grant funds.
12. Sign the letter to Sandy Bishop, Executive Director of the Lopez Community Land Trust, in support of their application to the Paul G. Allen Foundation seeking grant funds.
13. Sign the letter to Sandy Bishop, Executive Director of the Lopez Community Land Trust, in support of their application to the Housing Trust Fund seeking grant funds.
14. Sign the letter to Sandy Bishop, Executive Director of the Lopez Community Land Trust, in support of their application to the Norcliff Foundation seeking grant funds.
15. Sign the letter to Sandy Bishop, Executive Director of the Lopez Community Land Trust, in support of their application to the Russell Family Foundation seeking grant funds.
16. Sign the letter to Sandy Bishop, Executive Director of the Lopez Community Land Trust, in support of their application to the Bonneville Environmental Foundation seeking grant funds.

E. Miscellaneous:

1. (Clerk's Note: This item was removed and has been addressed under APPOINTMENTS.)
2. Sign the proclamation declaring September 25, 2006 in SJC as Family Day.

Motion carried.

ACTION AND DISCUSSION ITEMS

CONTRACTS/AGREEMENTS:

Proposed Memorandum of Understanding (MOU) with Shared Strategy of the Puget Sound and SJC - Pursuant to on-going discussions regarding Resolution 17-2006, a resolution establishing the SJC Ecosystem-Based Management Initiative with Shared Strategy of the Puget Sound adopted by the Council on March 14, 2006, the most recent draft of the Memorandum of Understanding was presented by Councilman Ranker. He stated that he had met with Deputy Prosecuting Attorney Karen Vedder regarding this latest draft in an effort to convey that this is not a contract, but an MOU. Ms. Vedder had declined to approve the draft. Mr. Ranker then asked Mr. Rose if he would sign and approve this new draft so that the Council could formally sign the document. Mr. Rose replied that he would sign the document and enumerated specific items of interest contained therein. The following action was taken:

Memorandum of Understanding (MOU) No. 06SJ36 - Moved by Ranker, seconded by Myhr, to sign the MOU between SJC and Shared Strategy of the Puget Sound with the changes as provided this morning to the Council Clerk and the County Administrator. Motion carried.

APPOINTMENTS:

1. (Item E-1 removed from the Consent Agenda) Request to Appoint a Special Hearing Examiner Pro-Tem – Present: Randall Gaylord, Prosecuting Attorney, and Pete Rose. Mr. Rose and Mr. Gaylord explained the request and cited the case that was involved. The following action was taken: **Moved by Ranker, seconded by Myhr, to approve the appointment of Mr. Wick Dufford as a Hearing Examiner Pro-Tem in the matter of Hughes vs. SJC based upon the settlement and remand of this case authorized by David Goldsmith, former County Administrator Pro-Tem. Motion carried.**

MISCELLANEOUS ITEMS:

1. Update on the Northwest Agriculture Business Center, the Noxious Weed Control Board, the Agriculture Resource Committee, and the County Fair – Present: Tom Schultz, WSU Extension Agent; Bruce Gregory, member of the Noxious Weed Control Board and the Agriculture Resource Committee; and interested citizens. Mr. Schultz prepared a chronological list of the WSU Extension accomplishments in SJC from 1993 to 2006. This list detailed a multitude of programs, number of citizens served, and the indicators of success which included an increase in agricultural gross sales in the County from one million dollars to over three million dollars from 1992 through 2002. He then reported on the recent County Fair. He stated he felt it had been the best yet and noted that forty 4-H youths will advance to the State Fair held in Puyallup. Mr. Schultz then reported on the achievements of the SJC Noxious Weed Control Board. He handed out fliers on all identified noxious weeds in the County and the success of those that have been eliminated. Both Mr. Gregory and Mr. Schultz commented on the excellence of the volunteers who work diligently to educate the public, devise control and elimination programs, and actually “pull weeds.” This information is available in the WSU Extension office. His next report was on the Agriculture Resource Committee. This committee now has a Web Site; is working with the Prosecuting Attorney on the updates to the “Dog Ordinance”; and is working on the definition of “agriculture” lands which is a complicated task. Mr. Myhr and Mr. Ranker both stated that the amendments to the “Dog Ordinance” have been a priority for the Council for over a year. The last report was regarding the Northwest Agriculture Business Center. Mr. Schultz noted that there have been ten of these formed in the United States from the 2002 farm bill. He gave the history of this project in the northwest region and explained the accomplishments and projects that have and are being undertaken. In addition, SJC has two members on the permanent Board of Directors. Much of the funding for this Center is provided by grants from the USDA. Mr. Gregory noted some of the local issues that are being addressed which included local dairy farming and a potential year-round covered farmers’ market on San Juan Island. Mr. Ranker added that he had spoken to the Governor who had indicated she would be interested in having this be a regional project as was done with the SJC Marine Resources Committee. He asked Mr. Schultz if this was regional or a model and asked for additional input after the next meeting scheduled for September 27, 2006. He noted that if counties worked together it could be beneficial rather than each county attempting to get funding for “pet” projects. The Council thanked Mr. Schultz for his reports and Mr. Gregory for his volunteer efforts on behalf of the County.

2. Priority Loading for Livestock on WA State Ferries (WSF) – Present: Jayne Davis, WSF Representative, and interested citizens. In response to recent issues concerning livestock unable to be loaded at the end of the SJC Fair, and other issues that have come up including issues with solid waste commercial hauling vehicles, Ms. Davis agreed to discuss the County’s concerns in person. Mr. Ranker thanked her for the apology issued by WSF and then asked for assistance with current problems. Ms. Davis brought a print out of all the WSF Policy Directives and legislation pertaining to WSF reservation system, and priority loading of commercial vehicles, livestock, and related cargo. She explained that the process to alter the existing regulations requires changing legislation. Mr. Myhr pointed out that it is also extremely important to consider the Inter-Island ferry routes as they are very important to the SJC business people. Ms. Davis explained that a proposal should be prepared detailing all of the issues and recommendations which would go to the WA State Transportation Commission. This would allow consideration of opening up the WA Administrative Code (WAC). The Transportation Commission would then open dialog with the WSF office and the public process would begin before it is submitted to the legislature. She explained the current stresses on the ferry system, limitations due to height restrictions, and the \$200 cost of the registration for priority commercial loading. She also added that there have been many times when the ferry terminal workers in Anacortes make exceptions when they are able. The Council discussed the best way to approach drafting a proposal and although it was suggested that Mr. Rose be involved, Mr. Myhr suggested the SJC Ferry Advisory Committee along with the Agriculture Resource Committee come up with the best solutions to the existing issues due to the amount of items the Administrator has on his agenda. These recommendations would then come back to the Council before being posed to the Transportation Commission. Ms. Davis suggested working on the agricultural issues first and noted that she is in constant contact with Jon Shannon,

Public Works Director, regarding the solid waste hauling issues. She also noted that for priority loading for livestock, the WAC requires the WSU Extension Agent to issue a letter of authorization. Mr. Myhr noted that the Administrator could work with the Council to determine the most appropriate person to work with Ms. Davis. The Council thanked Ms. Davis for coming to Friday Harbor to work with the County. She reminded the Council that to accomplish the changes being discussed, the public process must be followed and this will take time. Later in the morning, the Council suggested that there should be a County-wide policy regarding these issues and agreed that a proposal should be drafted within six weeks to be presented. It was also suggested that the County Extension Agent, the Public Works Director, the County Administrator, and the Ferry Advisory Committee should work together on this process.

3. Discussion Regarding Land Division of Acreage Using the Aliquot System – Present: Paul Dossett, SJC Assessor; Dan Powell, Cartographer; Ron Henrickson, Community Development and Planning Department Director; and interested citizens. Mr. Rose began with a review of the prior discussions and a restatement of the issue of the current GIS system, implemented in 1998, versus the Aliquot System. Mr. Rose had presented a packet of information detailing the effect of this different method of measurement on certain parcels of land in the County. Mr. Dossett and Mr. Powell detailed how this system is applied noting that Designated Forest Lands and Open Space Program Lands are still measured under the Aliquot System. It is estimated that approximately 132 parcels could be affected. Mr. Myhr noted that this is the third discussion before the Council and requested that a decision on whether or not to consider a change in policy be tabled until Councilman Lichter was available. After discussion, Mr. Myhr allowed comments from interested citizens. **It was the consensus of the Council to place this item on the Agenda for the following week in order that the entire Council could decide which direction they wished to pursue.**

4. Discussion Regarding Availability of Proprietary Archeological Maps in SJC – Present: Ron Henrickson, Community Development and Planning (CDPD) Director, and interested citizens. At the request of the Council, Mr. Henrickson explained that the agreement in place with the WA State Office of Archeology and Historic Preservation precludes giving access to the site data to any unauthorized persons. Part of the agreement provides a security clause related to the confidentiality of this information. The Council discussed the issue of citizens not having access to information concerning their property should they chose to construct a septic system, building, or other permitted project until they would apply for a permit. Mr. Henrickson explained the regulations in place in the County and the process required within the County Code. Mr. Myhr allowed public comment to be submitted. Mr. Ranker expressed his concerns about situations of public health when a septic system is failing and could not be repaired due to this provision in the law. The matter was discussed at length. Mr. Henrickson noted that the information on this topic that will assist the public is posted on the CDPD Web Site. Mr. Henrickson also stated that he has spoken to John Manning, Health and Community Services Director, regarding the septic repair issues and they will work with the State to see if the Health Department personnel can be allowed to access the site maps. Additional information will be furnished in the future.

5. Sunset Magazine Article Regarding San Juan County – Mr. Ranker noted that an issue of Sunset Magazine had an interesting article concerning an Orcas Island Farm.

6. Update on Gillnet Removal – Mr. Ranker reported on the recent removal of Gillnets in SJC by the Northwest Straights Commission. He complimented them on their efforts and gave statistical information on what was found in the nets after they were pulled from the sea.

ADJOURNMENT – Vice Chair Myhr adjourned the meeting at 12:20 p.m. A Special Meeting was scheduled for Monday, September 11, 2006, and the next regular meeting was scheduled for Tuesday, September 12, 2006.

These minutes were approved and signed on September 12, 2006. The original document is retained in the Council's permanent proceedings file dated September 5, 2006. Attest: Carolyn K. Morrison, Clerk.