

**SAN JUAN COUNTY (SJC), WASHINGTON
MEETING MINUTES
COUNTY COUNCIL
January 31, 2012**

Tuesday, January 31, 2012 - Council Hearing Room, Legislative Building, Friday Harbor

9:00 AM SPECIAL MEETING

Ms. Miller called the Special Meeting to order.

DISCUSSION: (Continued) Rules of Procedure Discussion – Council

The Council gave individual opinions on the issue of Council subcommittees, and their purpose.

After discussion, Ms. Miller recommended removing Section 2.04.430 page 5 of 6 in Ordinance 44-2008. It was also recommended that Chapter 2.04 of the County Code, page 14, be clarified to include “audio or video recorded.”

It was agreed by the Council to refer the draft ordinance regarding the use of participation in Council meetings via telephone and video conferencing or other form to the General Subcommittee for review and recommendations.

10:00 AM CALL TO ORDER REGULAR MEETING

Council Chair Patty Miller called the meeting to order at 10:00 a.m. Council Members present: Howard (Howie) Rosenfeld, Rich Peterson, Lovel Pratt, Richard Fralick, and Jamie Stephens; County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public were present.

Excused Absences: none

New Employee Introductions: John Manning, Director of Health & Community Services, introduced Christopher Aiken as the new Mobility Coordinator.

Approval of Minutes:

Moved by Mr. Peterson, seconded by Mr. Rosenfeld , to approve the Minutes of January 24, 2012 as amended. ALL AYES, MOTION CARRIED

Approval of Consent Agenda for January 31, 2012:

A. Resolutions:

A Resolution authorizing the Treasurer to cancel Uncollectable Personal Property Taxes

Ordinances:

B. Contracts/Agreements:

C. Budget Items:

The Auditor’s office requests approval for the following warrants:

- Warrant #105672 in the amount of \$999.39 for County Claims
- Warrants #105673-105756 in the amount of \$216,092.21 for County Claims

- Warrants #105757-105797 in the amount of \$85,104.56 for Public Works
- EFT #01192012 in the amount of \$6,321.04 for Public Works Excise
- Warrants #105860-105861 in the amount of \$2,769.18 for Public Works
- Warrants #105789-105814 in the amount of \$53,393.98 for Public Works
- Warrant #105859 in the amount of \$200 for Veteran's Assistance
- Warrant #106027 in the amount of \$42,529.91 for County Claims
- Warrants #105815-105858 in the amount of \$30,807.03 for County Claims
- Warrants #106139-106169 in the amount of \$17,905.29 for Public Works

D. Personnel:

E. Appointments

Proposed appointment of Richard Thompson and reappointment of Laura Tuttle to the Citizens' Salary Commission by the County Administrator.

F. Correspondence:

G. Miscellaneous:

H. Bid Openings:

Moved by Mr. Stephens, seconded by Mr. Fralick, to approve the Consent Agenda of January 31, 2012. ALL AYES, MOTION CARRIED

Approval of Correspondence:

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to approve a letter regarding Right-of-Way Acquisition from the San Juan County Cemetery District #3. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Stephens, to approve letters to Senator Ranker in support for SB 6239, and Rep. Morris and Rep. Lytton for HB 2516 concerning civil marriage and domestic partnership. VOTE: 4-1-1 (Peterson, Rosenfeld, Stephens, Pratt Ayes) (Fralick opposed) (Miller Abstained) MOTION CARRIED

Citizens Access: The following citizens offered comments: Rick Hughes, Jack Cory, Janet Alderton

10:33 AM

PUBLIC HEARING:

1. Housing Improvement Community Development Block Grant – Colin Maycock, Planner III

Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

The purpose of the public hearing is to fulfill requirements for citizens to comment on the Community Development Block Grant for the San Juan Community Home Trust Housing project. Ms. Miller opened for public testimony, and comments were offered by: Nancy Devaux, Keith Keyser. Public testimony was closed with the right to reopen.

Handouts on Federal Citizen Participation Requirements are available in English and Spanish on the entrance table.

2. To Consider an Ordinance Revising the General Fund Reserve Policy
Milene Henley, Auditor

Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

The public hearing was cancelled and will be rescheduled for another date.

10:49 AM PRESENTATION: Wireless/Broadband Options – Orcas Power and Light Cooperative (OPALCO); Foster Hildreth, Assistant General Manager; Tom Schramm, Consultant

Chris Thomerson, OPALCO Board President, introduced Foster Hildreth and Tom Schramm. Mr. Hildreth gave a PowerPoint presentation on wireless and broadband options in San Juan County.

11:25 AM DISCUSSION: Wireless Ordinance Update – Pete Rose, County Administrator

Shireene Hale and Prosecuting Attorney Randall Gaylord joined the meeting. Mr. Rose led discussion on the recently revised Ordinance Regarding Personal Wireless Service Facilities.

Moved by Mr. Peterson that we direct the Planning Commission to re-examine the Ordinance with the OPALCO edits, provide feedback, schedule hearings, craft a draft ordinance for the Prosecuting Attorney to review, make changes for 2nd hearing, and be ready to go by mid-April. NO SECOND

12:00 PM RECESS FOR LUNCH

1:00 PM DISCUSSION: Shoreline Master Program (SMP) Review – Colin Maycock, Planner III

1. Review revised public participation plan
2. Mandatory Elements of the SMP Update Memo

Moved by Ms. Pratt, seconded by Mr. Stephens, to adopt the Shoreline Master Program Inventory and Characterization Report by Resolution. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Stephens, to direct staff to proceed drafting the Critical Area Ordinance (CAO) Fish & Wildlife Habitat Conservation Area Section with consideration of both the Growth Management Act (GMA) and the Shoreline Management Act (SMA) requirements noting clearly where different requirements exist. ALL AYES, MOTION CARRIED

2:12 PM COUNTY ADMINISTRATOR ITEMS:

1. Solid Waste Update – Public Works Director Frank Mulcahy
 - a. Town of Friday Harbor Solid Waste Workshop Debrief

Mr. Mulcahy described a recent workshop on solid waste planning process conducted by the Town of Friday Harbor.

- b. Update of Solid Waste Work Plan

The Draft Solid Waste Plan will be available to the public on February 7

- c. Level of Service Question

Council discussed upcoming agenda for the joint meeting with the Town of Friday Harbor.

3:00 PM **DISCUSSION:** County Code 18.30 Updates (1st Touch) – Lee McEnergy, Planner III

1. Farm Stands/Stores; Recycling Centers; Technical Corrections

Ms. McEnergy explained changes to the San Juan County Code Chapter 18.30 and associated sections as part of the County effort to update the Unified Development Code.

3:45 PM **APPROVAL OF CORRESPONDENCE (continued)**

Moved by Ms. Pratt, seconded by Mr. Fralick, to approve a letter to Teddy McCullough congratulating him for receiving the Community Anti-Drug Coalitions of America’s Outstanding Youth Leadership Award. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve letters to Senator Mary Margaret Haugen, Chair of the Senate Transportation Committee, and Representative Judy Clibborn, Chair of the House Transportation Committee, regarding funding for Washington State ferries. ALL AYES, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Stephens, to approve a letter to Senator Mary Margaret Haugen, Chair of the Senate Transportation Committee, in support of SB 6518 regarding ferry advisory committees. ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to approve letters to, Representative Dave Upthegrove, Representative Shelly Short and Representative Steve Tharinger supporting an amendment to HB 2277 updating the statutes controlling the Puget Sound Partnership. ALL AYES, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve letters to Representative Jeff Morris and Representative Kristine Lytton supporting an amendment of HB 2277 updating the statutes controlling the Puget Sound Partnership. ALL AYES, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Peterson, to withdraw the letter approved this morning regarding Cemetery District #3. ALL AYES, MOTION CARRIED

3:55 PM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:

Legislative Priorities: Ms. Pratt said that in the interest of time she would make a report next week.

Ferries/FAC/Intermodal: Mr. Rosenfeld reported that the Ferry Advisory Committee (FAC), through Jim Corenman, noted some inaccurate comments made at the last meeting that indicate a misunderstanding of the ferry issues. The FAC would like to schedule time before the Council to correct any errors and have a dialogue with the Council regarding ferry issues.

Budget Subcommittee: Mr. Fralick reported that a work plan will be provided for the February 6 Retreat.

General Government Subcommittee: Mr. Peterson had nothing to report at this time.

Solid Waste Subcommittee: Ms. Miller reported that the Subcommittee is meeting on Thursday, February 2, and the topics will be the frequency of recycling, the Request For Proposals, and the level of service.

4:10 PM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Ms. Gabriel reminded Council that there will be a quarterly meeting with the Town of Friday Harbor on Thursday, February 2, at noon, at Town Hall. There will be a Council Retreat on February 6, 9:00 am, at the Friday Harbor House followed by a Special Meeting on February 7 at the Outlook Inn on Orcas Island.

Ms. See gave a committee report. After discussion, the following action took place:

Moved by Mr. Rosenfeld, seconded by Ms. Pratt, to appoint Kari Koski to the Parks & Recreation Board. ALL AYES, MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Peterson, to appoint Ted Whitley (Lopez) to the Veterans' Advisory Board. ALL AYES, MOTION CARRIED

Review Agendas:

Discussion of February 27 Special Meeting Agenda; February 28 regular meeting

Review Council Calendar Items:

Mr. Peterson will be having a town hall meeting on February 18 at Roche Harbor.

Ms. Pratt reported on the Coal Hard Truth Forums regarding the proposed shipping facility on Cherry Point. All forums will be from 6:00 – 8:00 pm on February 7 at the Lopez Center,

February 8 on Orcas at the Eastsound Fire Hall, and February 9 at the Friday Harbor High School.

4:30 PM EXECUTIVE SESSION: To discuss current and pending litigation pursuant to RCW 42.30.110(1)(i) – Randall Gaylord, Prosecuting Attorney

At 4:30 pm, Chair Miller announced that the Council would be holding an **executive session** to discuss current and pending litigation pursuant to RCW 42.30.110(1)(i) to last approximately 30 minutes.

Present: Councilmembers, Howie Rosenfeld, Rich Peterson, Jamie Stephens, Patty Miller, Lovel Pratt, Richard Fralick, County Administrator Pete Rose, Deputy County Administrator David Kelley, Human Resources Manager Pamela Morais, Council Clerk Ingrid Gabriel; Prosecuting Attorney Randall Gaylord, Civil Assistant Prosecuting Attorney Jon Cain.

The **executive session** ended at 4:53 for a total time of 23 minutes.

Mr. Rose stepped out of the hearing room and announced that the **executive session** had ended.

No Action was taken.

4:53 PM ADJOURN AND SIGN DOCUMENTATION

Ms. Miller reconvened the regular meeting and adjourned.

These Minutes were approved and signed on February 7, 2012. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.