

**SAN JUAN COUNTY (SJC), WASHINGTON
SPECIAL MEETING MINUTES – EARLY START
COUNTY COUNCIL
March 13, 2012**

Tuesday, March 13, 2012 – Legislative Hearing Room, Friday Harbor, WA

8:54 AM EXECUTIVE SESSION: To discuss real property acquisition, pursuant to RCW 42.30.110(1)(c)

The Council held an **executive session** to discuss real property acquisition, pursuant to RCW 42.30.110 (1)(c); Present: Council (Jamie Stephens excused); County Administrator Pete Rose, Civil Deputy Prosecuting Attorney Jon Cain, Public Works Director Frank Mulcahy, Office Engineer Guard Sundstrom, Civil Engineer Dan Vekved and Council Clerk Ingrid Gabriel.

Ms. Miller announced that the **executive session** would last approximately 5 minutes. The session ended at 9:03 AM for a total session time of 8 minutes.

NO ACTION WAS TAKEN

9:02 AM EXECUTIVE SESSION: Evaluation of the Performance of a Public Employee pursuant to RCW 42.30.110(1)(g)

The Council held an **executive session** to evaluate the performance of a public employee pursuant to RCW 42.30.110(1)(g). Present: Council (Jamie Stephens excused) and County Administrator Pete Rose.

The session ended at 9:59 AM for a total session time of 57 minutes.

Mr. Rose stepped out of the room and announced that the executive sessions had ended.

NO ACTION WAS TAKEN

10:00 AM CALL TO ORDER - REGULAR MEETING

There was a brief ceremony honoring County employee Rob Turner, who passed on Thursday, March 8.

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

Excused Absences:

Moved by Mr. Peterson, seconded by Mr. Fralick, to excuse Jamie Stephens from today's meeting. VOTE 5-0, MOTION CARRIED

New Employee Introductions: none

Approval of Minutes (January 30, January 31, and February 2, 2012):

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to approve the Minutes of February 27, 2012. VOTE: 5-0, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to approve the Minutes of February 28, 2012. VOTE: 5-0, MOTION CARRIED

Approval of Consent Agenda for March 13, 2012:

A. Resolutions:

Resolution Authorizing the Administrator to Sign a Declaration of Covenant for Protection of the Odlin Park Well

Ordinances:

B. Contracts/Agreements:

C. Budget Items:

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

- Warrant #107264 in the amount of \$350 for Veteran's Assistance
- Warrants #107223-107262 in the amount of \$46,460.39 for Public Works
- Warrants #107120-107222 in the amount of \$41,182.53 for County Claims
- Warrant #107263 in the amount of \$250 for Veteran's Assistance
- Payroll expenditures for pay period ending 2/22/2012
- Warrants #107558-107578 in the amount of \$65,016.42 for Public Works
- Warrants #107507-107557 in the amount of \$31,849.77 for County Claims
- Warrant #107615 in the amount of \$34,300 for Housing Loan
- Warrant #107614 in the amount of \$1,592.50 for HSA Fees

D. Personnel:

E. Appointments

F. Correspondence:

G. Miscellaneous:

H. Bid Openings:

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to approve the Consent Agenda of March 13, 2012. VOTE: 5-0, MOTION CARRIED

Approval of Correspondence:

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, approving a letter thanking Chuck Benjamin for his 12 years of service as the Executive Director to the North Sound Mental Health Administration (NSMHA). VOTE 5-0, MOTION CARRIED

Citizens Access: The following citizens offered comments: Peggy Bill, Barbara Rouleau, Sharon Kivisto

Moved by Mr. Fralick, seconded by Mr. Peterson, to authorize the County Administrator to execute an administrative settlement of \$42,229 for the acquisition of right of way and temporary construction easements from Mt. Baker Farm LLC for the Mt. Baker Road and Trail Improvement Project. VOTE 5-0, MOTION CARRIED

10:15 AM DISCUSSION: Committee Workshop Follow-up – Council

Ms. Miller opened discussion on the suggestion to have Council liaisons for the committees. Council agreed to submit preferences to the Chair.

11:00 AM DISCUSSION: Continued Rules of Procedure Discussion – Council

- a) Telephone/videoconferencing participation continued

Review of Ordinance 32-2009 which allows participation of Council in Council meetings via telephone. The matter was referred to the General Subcommittee for updating. The Council agreed that they wish to conduct meetings via teleconference, including voting.

Moved by Ms. Pratt, seconded by Mr. Peterson, to work towards amending Section 2.04.120 to allow for Council Member telephonic and videoconference participation at regular and special meetings of the County Council. VOTE: 5-0, MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Peterson, to ask the General Government Subcommittee to come up with the appropriate limitations for the use of this ordinance. VOTE: 5-0, MOTION CARRIED

- b) Quasi-judicial swearing-in at hearing

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to ask the General Government Subcommittee to revise the language in Section 8.8 of Ordinance 21-2007 of the Rules of Procedure regarding quasi-judicial swearing in at public hearings. VOTE: 5-0, MOTION CARRIED

- a) Council committee rules

Ms. Miller will come back with recommendations to the Council.

Moved by Ms. Pratt, seconded by Mr. Peterson, to include a new section on 2.04 on subcommittees that includes the following language “subcommittee meetings shall be noticed and open to the public.” VOTE: 4-1 (Rosenfeld opposed), MOTION CARRIED

11:37 AM COUNTY ADMINISTRATOR ITEMS:

- 1. North Sound Mental Health Administration (NSMHA) Health Care Reform and Developing Regional Strategies – Chuck Benjamin, Executive Director; Greg Long, Deputy Director; Lisa Grosso, Operations Manager; Barbara LaBrash, San Juan County Human Services Manager

Mr. Benjamin thanked the Council for their congratulations in serving as Executive Director of the NSMHA. He provided a PowerPoint Presentation on the topic of healthcare, and health care reform.

MOVED by Ms. Pratt, seconded by Mr. Peterson, to request the North Sound Mental Health Administration to work with the County Administrator on a draft joint resolution for Council consideration with regard to health care reform. VOTE: 5-0, MOTION CARRIED

2. ACTION: Housing Bank Commission Recommendations for the 2012 HB 2060 Grant Proposals – Melanie Rollins, Affordable Housing Coordinator; John Manning, Health & Community Services Director

Ms. Rollins explained recommendations of the Housing Bank Commission for funding affordable housing projects. After discussion, the following action took place:

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve the recommendations of the Housing Bank Commission to award grants as follows: \$4,639.40 to OPAL; \$4,639.40 to San Juan Community Home Trust; \$4,639.40 to Homes for Islanders; and \$9,278.80 to Lopez Community Land Trust. VOTE: 5-0, MOTION CARRIED

12:14 PM RECESS FOR LUNCH

1:06 PM DISCUSSION: Solid Waste Update – Frank Mulcahy, Director Public Works; Ed Hale, Utilities Manager

1. Orcas Site Request for Proposals (RFP)

After discussion, the following action took place:

Moved by Mr. Peterson, seconded by Ms. Pratt, to adopt the Orcas RFP selection criteria and to direct staff to prepare the proposal document with these criteria. VOTE 5-0, MOTION CARRIED

2. Review of draft Service Level Ordinance and selection of recycling frequency

Mr. Mulcahy provided results from the survey for recycling frequency preferences.

After discussion, the following action took place:

Moved by Mr. Fralick, seconded by Ms. Pratt, to include monthly recycling frequency in the Level of Service Ordinance and other changes discussed today, and to set a public hearing for April 3, 2012 at 10:15 am to consider the Ordinance. VOTE: 5-0, MOTION CARRIED

2:04 PM 4. Authorization to Land Bank for Sale of Real Property – Jon Cain, Deputy Prosecuting Attorney; Lincoln Bormann, Land Bank Director

Mr. Bormann gave background information on the Mt. Baker Rd. Improvement Project.

After discussion, the following action took place:

Moved by Ms. Pratt, seconded by Mr. Fralick, to approve a Resolution to Authorize a Memorandum of Understanding for the sale of right of way, temporary construction and wetland mitigation areas on the Stonebridge-Terrill Preserve, Orcas Island. VOTE: 5-0, MOTION CARRIED

Council requested that the County Administrator and communication staff insure that there is a high quality communication flow regarding the Mt. Baker Rd. Improvement Project.

2:10 PM 3. Lopez Site Request for Proposals (RFP)

Discussion continued on the Lopez Site, whether a disposal district will work, and other options. After discussion, it was agreed to revise the March 20 agenda to include more discussion time on Lopez Island solid waste issues.

COUNTY ADMINISTRATOR ITEMS (continued):

2:30 PM 3. Health & Community Services Update – John Manning, Director

Mr. Manning presented the 2011 Annual Report of Health & Community Services.

2:45 PM **PRESENTATION:** Economic Development Council (EDC) – Victoria Compton, Director; Jim Hooper, President

Ms. Compton and Mr. Hooper provided a PowerPoint presentation on the 2011 Accomplishments and 2012 Work Plan.

3:25 PM **COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:**

Legislative Priorities: Ms. Pratt reported on the March 12th start of the Legislature's Special Session. Ms. Pratt also reported on the February 23rd meeting of the Oil Spill Contingency Plan (WAC 173-182) Rule Advisory Committee meeting and the February 29th and March 1st Washington State Association of Counties Legislative Steering Committee and Coastal Counties Caucus meetings in Olympia.

Ferries/FAC/Intermodal: Mr. Rosenfeld reported on the formidable efforts by Senator Mary Margaret Haugen who was able to take a Senate bill from last year (SB 2053) and fold it into the supplemental transportation bill, and get minority support. The supplemental transportation package includes increases to license fees, state patrol gets auto-theft refunded, and ferries and roads get a new source of sustainable funding. This will allow for the current level of service to continue into the future. The package also authorizes the Washington State Ferries to work with British Columbia ferries in developing ferry designs. On the negative side, driver's license fees for renewals will go up, and although the Council sent a letter opposing the purchase of foreign-hulled ferries to service international routes to Sidney, it is in the supplemental bill. Also in the bill, they provided 1 million to study the use of liquid natural gas in the ferries. In 2013, WSF capital budget goes dry which is a problem, but not as critical as receiving the supplemental funding.

The March 25 Sidney inaugural is coming up and there are still some tickets available.

The FAC will meet on the third Wednesday of the month, instead of the second Wednesday for the March meeting. The meetings have been well attended by WSF staff.

Budget Subcommittee: Mr. Fralick reported that the committee is working on materials to be available for the April 2 Budget Workshop.

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

Solid Waste Subcommittee: Ms. Miller will send out more messages in advance.

Additional Updates & Discussion Items:

Ms. Pratt reported that she attended the March 9 Washington State Association of Counties (WSAC) webinar on Tsunami debris which included presentations from several other agencies. The presenter from NOAA indicated that there was very little likelihood that Tsunami debris will reach the San Juan Islands.

Mr. Peterson reported that the .3% sales tax group held their first meeting. The group is composed of representatives from the major elements of Law & Justice. Their next meeting is March 23 and they expect a report is forthcoming. They are working on a ballot measure.

3:45 PM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Ms. Gabriel reminded the Council that there will be a Special Meeting Workshop on Monday, March 19 on the Budget and Solid Waste, and the next Council meeting will be held on March 20 on Lopez Island. Next public hearing is April 3

Ms. See gave a brief committee report and the following action took place:

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to reassign William Agosta from Position #7, At Large, to Position #1, San Juan Island. VOTE: 5-0, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to appoint Gary Fisher to Housing Bank Commission, Position #7, At Large. VOTE: 5-0, MOTION CARRIED

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to reappoint Nancy McCoy to the Open Space Advisory Team. VOTE: 5-0, MOTION CARRIED

Review Agendas:

Ms. Pratt reported that the Department of the Navy sent a notice regarding open house information sessions to discuss the potential environmental impacts from military readiness training and testing activities in the Northwest. The first session closest to San Juan County is scheduled in Oak Harbor on March 13 which conflicts with today's Council's meeting. The Department of the Navy is offering to schedule a brief in the future and Ms. Pratt asked that it be added to the agenda.

Discussion continued on upcoming agenda items.

4:20 PM **CLOSED SESSION:** To discuss matters pertaining to collective bargaining pursuant to RCW 42.30.140(4)(b)

At 4:20 PM, Chair Miller announced that the Council would be holding a **closed session** to discuss matters pertaining to collective bargaining pursuant to RCW 42.30.140(4)(b) estimated to last approximately 30 minutes in total. Present: Council, County Administrator Pete Rose, Human Resources Manager Pamela Morais and Council Clerk Ingrid Gabriel.

At 4:50 PM, 15 minutes were added to the session.

The session ended at 5:10 PM for a total session time of 50 minutes.

Mr. Rose stepped out of the hearing room and announced that the closed session had ended. Ms. Miller called the meeting back into regular session before adjourning the meeting.

NO ACTION WAS TAKEN

5:10 PM **ADJOURN AND SIGN DOCUMENTATION**

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on March 20, 2012. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.