

**MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
TUESDAY, OCTOBER 16, 2012**

Legislative Hearing Room, Legislative Building, Friday Harbor

SPECIAL MEETING

08:52 CALL TO ORDER SPECIAL MEETING:

Chair Patty Miller opened the Special Meeting. Council Members present: Howard (Howie) Rosenfeld, Rich Peterson, Patty Miller, Richard Fralick, Lovel Pratt and Jamie Stephens; County Administrator Pro Tem Bob Jean and Council Ingrid Gabriel.

08:52 AM DISCUSSION: Approve Contract for Lodging Tax Promotions Grantee – Jamie Stephens, Lodging Tax Advisory Committee Chair

Communications Administrator Stan Matthews presented the Council with a guide on negotiations concerning the Lodging Tax Promotion Grant contract and discussed options for developing a tourism master plan.

09:17 AM DISCUSSION: Reconsideration of County Code 18.30 Updates Relating to Agricultural Sales, Recycling and Clarification of Terms, Regarding Amendment of San Juan County Code Sections 18.20.18.30 and 18.40, and Adding New Section to SJCC 18.30 – Lee McEnery, Planner III

Ms. McEnery presented the requested changes to the Council. After discussion, the Council took the following actions:

Moved by Ms. Miller, seconded by Mr. Stephens to direct staff to reinsert the recycling center definition on page 11, remove the word “only” from the “recycling collection only” definition on page 11, remove the word “only” from Table 3.2 on page 28 from “recycling collection point” and on footnote 12 on page 35 to change the sentence following the word “include” to “recycling collection and/or processing.” ALL AYES; MOTION CARRIED

Moved by Mr. Fralick, seconded by Mr. Peterson to remove the second sentence on page 10 of the “neighborhood solid waste and recycling site” definition. VOTE 5:1 (Pratt opposed); MOTION CARRIED.

Moved by Ms. Miller, seconded by Mr. Peterson to strike the word “overnight” from the end of the first sentence in the same definition on page 10. ALL AYES; MOTION CARRIED.

Moved by Mr. Stephens, seconded by Mr. Rosenfeld to move ordinance forward to a public hearing on Tuesday, October 30 at 8:45 AM. ALL AYES; MOTION CARRIED

09:41 AM PUBLIC HEARING: To Adopt an Ordinance Regarding Critical Area Regulations for Wetlands; Amending San Juan County Code Sections 18.10.040, 18.20.010, 18.20.020, 18.20.040, 18.20.070, 18.20.080, 18.20.090,

18.20.120, 18.20.130, 18.20.140, 18.20.170, 18.20.180, 18.20.190, 18.20.200, 18.20.230, 18.30.150, and 18.60.170; and Repealing Appendices A-C of SJCC 18.30.150 - Shireene Hale, Planning Coordinator; Jon Cain, Deputy Prosecuting Attorney

Ms. Miller opened the public hearing, which is continued from October 9, 2012. Present: Full Council, County Administrator Pro Tem Bob Jean, Planning Coordinator Shireene Hale, Deputy Prosecuting Attorney Jon Cain, Council Clerk Ingrid Gabriel and interested members of the public.

Ms. Hale discussed draft ordinance revisions with Council. After discussion, the Council took the following actions:

- a. **Moved by Ms. Pratt, seconded by Ms. Miller to adopt the tree protection zone definition as proposed by staff in their Monday, October 15 email. VOTE 5:1 (Peterson opposed); MOTION CARRIED**
- b. **Moved by Ms. Miller, seconded by Mr. Fralick, to direct staff to include revised table 3.6 into the Wetlands Critical Areas Ordinance. VOTE: 5:0:1 (Pratt abstained); MOTION CARRIED.**
- c. **Moved by Ms. Pratt, seconded by Mr. Stephens to direct staff to modify the definition of “impervious surface” to include the run-off coefficient greater than .35. VOTE 4:1:1 (Peterson opposed; Miller abstained); MOTION CARRIED.**
- d. **Moved by Mr. Peterson, seconded by Mr. Stephens, to strike the word “public” from the second sentence in #2 on page 56, and strike the third sentence in its entirety. VOTE 1:5 (Rosenfeld, Stephens, Miller, Pratt, Fralick opposed); MOTION FAILED.**
- e. **Moved by Ms. Pratt, seconded by Mr. Peterson, move #3 on page 57 of 70 to section 18.30.150 as recommended by staff. ALL AYES; MOTION CARRIED.**
- f. **Moved by Ms. Pratt, seconded by Ms. Miller, to direct staff to revise the findings to support the Ordinances as currently drafted. ALL AYES; MOTION CARRIED.**
- g. **Moved by Ms. Pratt, seconded by Mr. Stephens, to continue the public hearing to Adopt an Ordinance regarding Critical Area Regulations for Wetlands and Amending the various code sections to 2:00 PM this afternoon. VOTE 5:0 (Rosenfeld absent); MOTION CARRIED**

REGULAR MEETING

11:14 AM CALL TO ORDER REGULAR MEETING

Council Chair Patty Miller called the regular meeting to order at 11:00 AM. Council Members present: Howard (Howie) Rosenfeld, Rich Peterson, Patty Miller, Richard Fralick, Lovel Pratt

and Jamie Stephens; County Administrator Pro Tem Bob Jean, Clerk to the Council Ingrid Gabriel and interested members of the public were present.

Approval of Minutes: Ms. Miller requested that the approval of the October 9, 2012 minutes be postponed until the October 30 meeting to allow for further review.

Review and Approve Consent Agenda:

Moved Mr. Peterson, seconded by Mr. Rosenfeld, to approve the Consent Agenda of October 16, 2012, as follows:

A. Resolutions:

Ordinances:

B. Contracts/Agreements:

C. Budget Items:

- Warrant #116611 Veteran's Assistance in the amount of \$1,550.00
- Warrant #116625 Veteran's Assistance in the amount of \$171.00
- EFT 10092012 Parks EFT in the amount of \$1,668.48
- Warrant #116626 – 116717 County claims in the amount of \$147,878.81
- Warrant #116718 – 116751 Public Works claims in the amount of \$36,449.08
- Warrant #116428 County claims in the amount of \$4,009.94
- Warrant #116429 - 116430 Veteran's Assistance claims in the amount of \$850.00
- Warrant #116488 – 116582 County claims in the amount of \$153,509.61
- Warrant #116583 – 116610 Public Works claims in the amount of \$73,228.81
- Interfund transfers for the month of September, 2012
- Payroll Expenditures for the pay period ending 9/21/12

D. Personnel:

E. Appointments:

F. Correspondence:

G. Miscellaneous:

H. Bid Openings:

VOTE 5:0:0 (Pratt absent); MOTION CARRIED.

Citizens Access: The following citizens submitted comments: Tim Blanchard, Nancy Deveaux, Kyle Loring, Liz Ilig, Dave Cable,

11:38 AM JOINT MEETING WITH TOWN OF FRIDAY HARBOR COUNCIL

Present: Full County Council, Administrator Pro Tem Bob Jean, Council Clerk Ingrid Gabriel; Friday Harbor Council: Mayor Carrie Lacher, Members Steve Hushebeck, Noel Monin, Barbara Starr, Anna Maria deFreitas, (Felix Menjivar absent); Town Administrator Duncan Wilson, Town Council Clerk Amy Taylor.

Introduction of New Administrators:

Town Administrator Duncan Wilson was introduced by Mayor Lacher. County Administrator Pro Tem Bob Jean introduced himself.

Update Regarding County/Town Solid Waste Utility:

County Public Works director Frank Mulcahy and Mr. Wilson updated the Councils on the status of the evaluation of responses to the San Juan Island RFP.

Discussion of Economic Development:

Mr. Wilson discussed invigorating an economic development model for the Town. Mr. Jean expressed his concerns that there is not an overall economic development consensus in the community and his desire to see a strategy and action plan put in place.

Mayor Lacher and Council Member DeFreitas discussed various ways that the Town has worked to stimulate businesses and revenue. Mr. Rosenfeld discussed the status of ferry service and transportation priorities. Mr. Fralick emphasized diversification of businesses during the tourist off-season.

(Mr. Monin left the meeting at 12:10 PM)

Discussion of Turn Point/Pear Point Connector Road:

Mr. Jean discussed the need for a systemic approach to designing the road and identified obtaining federal funding for construction as a priority.

Discussion of Finding New Ways to Cooperate/Communicate:

Mr. Wilson and Mr. Jean discussed the need for strategic partnership on issues.

Sheriff and Court Intergovernmental Contracts:

Mr. Jean reported that the County has fallen behind on the determining the cost of services to the Town and the discussion between the County and the Town on updating the costs has begun. Mr. Wilson stated that he and the Town's financial officer will be reviewing the adjustments.

Discussion of Lodging Tax Use for Tourism Master Plan:

Mayor Lacher noted that the Town is considering developing its own Tourism Plan for creating a "branding" for the Town. Mr. Stephens, Chair of the Lodging Tax Advisory Committee (LTAC), suggested that a proposed Tourism Master Plan be included in a destination marketing organization request for proposal and that the Town participate as part of the scoping. The Council agreed by consensus to form a joint committee with the Town in 2013 to consider where there may be opportunities to align on a Tourism Master Plan.

Discussion of Rain Garden Maintenance: Mayor Lacher asked for clarification of responsibility for maintenance of the rain garden. County Administrator Pro Tem agreed to research and respond to this request.

01:04 PM RECESS FOR LUNCH

02:06 PM PUBLIC HEARINGS CONTINUED:

Ms. Miller reopened the public hearing to Adopt an Ordinance Regarding Critical Area Regulations for Wetlands.

- h. Moved by Mr. Peterson, seconded by Mr. Rosenfeld to eliminate letter “F” on page 1 in the Background Section. ALL AYES; MOTION CARRIED.**
- i. Moved by Ms. Miller, seconded by Mr. Fralick, to direct staff to include in either the background or the findings section the statement “despite a broad outreach for Best Available Science (BAS), very little locally based science is available for San Juan County.” ALL AYES; MOTION CARRIED.**
- j. Moved by Ms. Miller, seconded by Mr. Peterson to direct staff to expand reference to the functions and values of wetlands to include “the benefit to humans” and as appropriate in the Fish and Wildlife Habitat Section. ALL AYES; MOTION CARRIED.**
- k. Moved by Miller, seconded by Mr. Peterson to direct staff to include in the finding or background sections of the Wetland and Fish and Wildlife Ordinances a statement that “the County has developed and obtained funding for a County-wide water quality monitoring program, which will be implemented in 2012, and will begin to fill data gaps in the local Best Available Science (BAS).” ALL AYES; MOTION CARRIED.**

By consensus the Council agreed to direct staff to add additional language that describes the project funding and education aspects of the program.

- l. Moved by Ms. Miller, seconded by Mr. Peterson to add in the findings or background section as appropriate “the nature of land development in San Juan County is generally light intensity with very limited manufacturing, industrial and only small commercial development.” ALL AYES; MOTION CARRIED.**
- m. Moved by Ms. Miller, seconded by Mr. Peterson to add on page 5, letter “G”, third sentence after “The concentration of pollutants in runoff varies depending on a number of factors including:” then add “intensity and type of development; the time period since the last rain event.....”, and add “and type” to the “quantity of pollutants present” and to insert “irrigation” to wherever it says “rainfall.” ALL AYES; MOTION CARRIED.**
- n. Moved by Ms. Miller, seconded by Mr. Peterson to include in either the background or the findings section that the Best Available Science (BAS) provides little peer-reviewed direct evidence that San Juan County’s existing regulations are not protecting the functions and values of wetlands. ALL AYES; MOTION CARRIED.**
- o. Moved by Mr. Fralick, seconded by Ms. Miller to continue the hearing to Tuesday, October 30, 2012 at 8:45 AM. ALL AYES; MOTION CARRIED.**

3:21 PM PUBLIC HEARING: To Adopt an Ordinance Regarding the Critical Area Regulations for Fish and Wildlife Habitat Conservation Areas, Amending San Juan County Code Sections 18.10.040, 18.20, and 18.30.160 – Shireene Hale, Planning Coordinator; Jon Cain, Deputy Prosecuting Attorney

Ms. Miller opened the public hearing, which is continued from October 9, 2012. Present: Full Council, County Administrator Pro Tem Bob Jean, Planning Coordinator Shireene Hale, Deputy Prosecuting Attorney Jon Cain, Council Clerk Ingrid Gabriel and interested members of the public.

Ms. Hale discussed draft ordinance revisions with Council. The Council took the following actions:

- a. **Moved by Ms. Pratt, seconded by Mr. Rosenfeld to add “barrier beaches and pocket estuaries” to section 9, page 29 “Habitats of Local Importance.” VOTE 2:4 (Peterson, Stephens, Miller, Fralick opposed); MOTION FAILED.**
- b. **Moved by Ms. Miller, seconded by Mr. Peterson to remove “marine waters” from line 6 on page 28. VOTE 4:2 (Rosenfeld, Pratt opposed), MOTION CARRIED.**
- c. **Moved by Ms. Miller, seconded by Ms. Pratt to delete section D1 on page 31 and direct staff to include the appropriate language to 18.30.160.A. ALL AYES; MOTION CARRIED.**
- d. **Moved by Mr. Fralick, seconded by Ms. Pratt to continue hearing to Tuesday, October 30, 2012 at 8:45 AM. ALL AYES; MOTION CARRIED.**

04:43 PM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS

Legislative Priorities: Ms. Pratt reviewed the changes made to the revised Exhibit A of the Resolution Regarding Legislative Priorities for the 2013 Legislative Session. After discussion, it was agreed to bring the resolution forward for action along with another opportunity for public comment on November 6.

Ms. Pratt reported on the October 4th Vessel Traffic Risk Assessment Steering Committee meeting and the October 5th Washington State Association of Counties Legislative Steering Committee meeting.

Ferries/FAC/Intermodal: Mr. Rosenfeld gave an update. The Ferry Advisory Committee (FAC) meets in the Legislative Hearing Room on Wednesday, October 24 at 8:30 AM; the Ferry Community Partnership meets at the Friday Harbor House, Friday Harbor, on Wednesday, October 24 at 11:30 AM. The next Washington State Ferry Community Meeting is December 6th in the Legislative Hearing Room.

Budget Subcommittee: Mr. Fralick will schedule a meeting next week.

General Government Subcommittee: Mr. Peterson reported no activity.

Solid Waste Subcommittee: Ms. Miller reported no activity.

Additional Updates and discussion Items:

1. The October 17 meeting of Accountability Oversight Committee was cancelled.

2. Proposed Gateway Pacific Terminal Project Update – Mr. Stephens reported on an informational meeting on Lopez with David Cole, senior consultant on the Gateway Pacific Project. Mr. Stephens will follow with a written report on the questions and issues as well as a list of all involved decisions makers, agencies and organizations. He encouraged the Council to remain involved to establish future standing. Ms. Pratt will draft a comment letter for the Council to consider at the October 30th meeting regarding the scoping process for the proposed project's Environmental Impact Statement (EIS).
3. Salmon Recovery Retreat – Mr. Fralick reported that he and Mr. Stephens attended a retreat at Mt. Rainier discussing barriers to salmon recovery and will be submitting a report.
4. Mr. Peterson reported that he was holding a Community Meeting at Roche Harbor on October 27 at 10:00 AM.

05:23 PM CLERK UPDATE AND ADMINISTRATIVE MATTERS:

Clerk Update: Ms. Gabriel informed Council that there was no meeting scheduled on October 23; the next meeting is a Special Meeting on Tuesday, October 29 beginning at 8:45 AM.

Committee Update: Ms. Gabriel reported none.

05:24 PM ADJOURN AND SIGN DOCUMENTATION

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

These Minutes were approved and signed on October 30, 2012. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.