

SAN JUAN COUNTY (SJC), WASHINGTON
REGULAR MEETING MINUTES
COUNTY COUNCIL
April 12, 2011

Tuesday, April 12, 2011 – Legislative Hearing Room, Friday Harbor, WA

EARLY START

9:00 AM

CALL TO ORDER

Executive Session: Evaluation of the Performance of a Public Employee pursuant to RCW 42.30.110 (1) (g)

At 9:02 AM, Council Chair Pratt announced that the Council would be holding an **executive session** to evaluate the performance of a public employee, pursuant to RCW 42.30.110 (1)(g); estimated to last approximately 40 minutes. Present: Full Council and County Administrator Pete Rose. The session ended at 9:50 for a total executive session time of 50 minutes.

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

No Action was taken.

Ms. Pratt called the regular Council meeting back into session and announced a 10 minute break.

10:00 AM

FLAG SALUTE

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

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to excuse Richard Fralick from today's meeting for personal reasons. VOTE: 5-0, MOTION CARRIED

Ms. Pratt reminded the public that video recordings of Council meetings held in the Council Legislative Hearing Room are available for on-line viewing via live-streaming on the day of the meeting and can be viewed the following day on the Council website. The current video and three months of prior videos can be accessed by going to the San Juan County website www.sanjuanco.com and selecting the County Council tab.

New Employee: Sheriff Nou introduced Danny Pierce, the new Deputy on Lopez Island. Rene Beliveau introduced employee Chris Laws, the new Code Enforcement Officer.

Mr. Rosenfeld apologized to his constituents for health related sleep issues that have received recent wide attention. He is seeking medical testing for his condition, and will report the findings to the public.

Citizens Access: The following citizens submitted comments: Gulliver Rankin, Dave Cable, Tim Blanchard

10:20 AM PUBLIC HEARING: Consideration of an Ordinance Regarding Administrative Appeals of Land Use Decisions and SEPA Determinations; Amending San Juan County Code Sections 18.20.010, 18.70.050, 18.70.070, 18.70.080, 18.80.010, 18.80.020, 18.80.100, 18.80.130, 18.80.140, 18.80.160, 18.80.170, and 18.90.060 – Colin Maycock, Senior Planner
Present: Five Council Members (Mr. Fralick excused), County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Maycock reviewed for the Council the amendments to Chapter 18 which update the appeal procedures on the Hearing Examiner's Land Use Decisions and amends existing regulations to be uniform under the San Juan County Home Rule Charter. Mr. Maycock answered questions from Council.

Ms. Pratt opened for public testimony, no comments were offered, and public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Ms. Miller, seconded by Mr. Stephens, to adopt an Ordinance Regarding Administrative Appeals of Land Use Decisions and SEPA Determinations; Amending San Juan County Code Sections 18.20.010, 18.20.110, 18.70.050, 18.70.070, 18.70.080, 18.80.010, 18.80.020, 18.80.100, 18.80.130, 18.80.140, 18.80.160, 18.80.170, and 18.90.060. VOTE: 5-0, MOTION CARRIED

10:38 AM Approval of Correspondence:

Mr. Rosenfeld introduced a letter in support of HB 2053, a bill that will provide essential funding for Washington State Ferries, State Patrol, Transit Special Needs, and local government road preservation and maintenance.

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to approve a letter to the House Transportation Committee in support of HB 2053. VOTE: 5-0, MOTION CARRIED

10:44 AM DISCUSSION: Accountability Oversight Committee (AOC) – Lovel Pratt, SJCC Chair; Rich Peterson, Council Member

Ms. Pratt welcomed the Puget Sound Partnership staff.

1. Implementation Committee Report – Barbara Rosenkotter, Chair of Action Agenda Oversight Group Implementation Committee

Ms. Rosenkotter, representing herself as the Chair of the Implementation Committee, explained the primary actions of the AOC: to develop recommendations for a citizen involvement process, and to develop recommendations for a process to identify and refine priority Action Agenda strategies.

2. Puget Sound Partnership (PSP) Report – Martha Kongsgaard, Leadership Council Chair; Gerry O'Keefe, Executive Director; Scott

Williamson, Ecosystem Recovery Coordinator

Ms. Kongsgaard, Chair of Leadership Council, described her role and the Leadership Council's role. She explained the need for San Juan County and Puget Sound Partnership to be partners.

Mr. O'Keefe explained the work and intent of the Puget Sound Partnership, and gave a report on the 2009-2011 PSP highlights including: setting priorities for Puget Sound, managing performance toward recovery goals, and implementing priority actions.

Ms. Kongsgaard and Mr. O'Keefe answered questions from the Council.

3. Review Resolution 55-2010 – Lovel Pratt and Rich Peterson

Ms. Pratt and Mr. Peterson led a discussion of Resolution 55-2010 which dealt with the Accountability Oversight Committee, and the authority of County Council representatives.

4. Request from AOC for San Juan County Council to Consider San Juan County as a fiscal agent for Puget Sound Partnership (PSP) Capacity Funding Grant – Pete Rose, County Administrator

Discussion followed on the request for a fiscal agent for any funding received from the PSP. Auditor Milene Henley suggested that a fiscal agent was not required, but that grant accounting procedures were a more appropriate request. After discussion, the following action took place:

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, in the event we agree to receive a grant from the Puget Sound Partnership, that the San Juan County Auditor will be the grant accounting agent for funds received. VOTE 5-0, MOTION CARRIED

12:30 PM RECESS FOR LUNCH

1:31 PM 2011 COMMITTEE REPORTS & WORK PLANS:

1. Eastsound Planning and Review Committee (EPRC) 2011 Work Plan – Gulliver Rankin, Chair

Mr. Rankin presented the EPRC 2011 Work Plan, and highlighted the year's of work by the EPRC.

Moved by Ms. Miller, seconded by Mr. Peterson to approve the 2011 EPRC Work Plan, minus the conclusion. VOTE 5-0, MOTION CARRIED

Council is scheduled to meet on September 27 on Orcas Island, and invited Mr. Rankin to be on the Agenda.

2. Land Bank Commission –Lincoln Bormann, Land Bank Director

Mr. Bormann gave a PowerPoint Presentation of Land Bank accomplishments, goals and objectives.

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to endorse the 2011 SJC Land Bank 2011 Work Plan. VOTE: 5-0, MOTION CARRIED

2:00 PM COUNTY ADMINISTRATOR ITEMS:

1. 2010 Code Enforcement Report – Rene Beliveau, Director
Community Development & Planning

Mr. Beliveau gave a report to the Council involving the current General Fund supported code enforcement program, and the introduction of a new concept in the code enforcement ordinance.

2. Discussion of Grants Policy – Pete Rose, County Administrator

Mr. Rose opened discussion on the various aspects of application and acceptance of grants in preparation for setting a formal grants policy. Discussion by Council followed.

It was decided that Mr. Rose would draft a grants policy for council review

3. First 2011 Budget Amendment (2nd Touch) – Milene Henley, Auditor

Ms. Henley reported to the Council three different budget amendments to the adopted 2011 SJC budget: supplemental budget appropriations, beginning cash adjustments, and emergency appropriations. Ms. Henley would like to include \$40,000 from the Transportation Element to this budget amendment.

Moved Ms. Miller, second by Mr. Stephens, to request the Auditor to prepare a Budget Amendment Ordinance to reflect the changes made on April 12, 2011, to move forward to a Public Hearing on April 27, 2011 at 10:15 am. VOTE: 5-0, MOTION CARRIED

- 4:14 PM** 4. 1st Quarter Solid Waste Revenue & Expenditure Status – Ed Hale,
Utilities Manager

Mr. Hale reported on the 1st Quarter Solid Waste Revenue & Expenditure Status by making a comparison of 2010 and 2011 revenue and expenses. Mr. Hale reported that actual tonnage is down by 33% in 2011.

4:14 PM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Ms. Gabriel reminded the Council that that the next meeting is scheduled for April 19, and next available date for public hearing is May 10.

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

Moved by Ms. Miller, seconded by Mr. Rosenfeld, to appoint Christine Orchid to the Agricultural Resources Committee. VOTE: 5-0, MOTION CARRIED

Moved by Ms. Miller, seconded by Mr. Rosenfeld, to appoint Gary Fisher to the Human Services Advisory Board. VOTE 5-0, MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to appoint Bob Buchholz to the Lopez Library Board of Trustees. VOTE 5-0, MOTION CARRIED

Review and Approve Minutes of March 26, 2011:

Moved by Mr. Rosenfeld, seconded by Mr. Stephens, to approve the Minutes of March 28, 2011. VOTE 5--0, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Stephens, to approve the Minutes of March 29, 2011. VOTE: 5-0, MOTION CARRIED

Review Agendas:

Ms. Pratt reminded Council that there will be a Best Available Science (BAS) workshop on May 9, that will include a conference call with scientists, and public comment. Revisions to the BAS Report will be available on our website. Ms. Miller asked that the FAQs and Chapters completed by scientists other than Dr. Adamus be sent to the Common Sense Alliance in response to their questions.

Review and Approve the Consent Agenda:

A. Resolutions:

Ordinances:

B. Contracts/Agreements:

C. Budget Items:

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

- Warrants #92768-92852 in the amount of \$112,279.85 for County Claims
- Warrants #92853-92870 in the amount of \$13,952.40 for Public Works
- Warrant #93023 in the amount of \$351.87 for Veteran's Assistance
- Warrants #93025-93026 in the amount of \$450 for Veteran's Assistance
- Warrants #93027-93109 in the amount of \$90,920.92 for County Claims
- Warrants #93110-93135 in the amount of \$74,375.43 for Public Works
- Payroll expenditures for pay period ending 3/22/2011

D. Personnel:

E. Appointments

A Letter appointing Dan Drahn to the Storm Water Committee.

F. Correspondence:

G. Miscellaneous:

Proclamation that May of 2011 be known as Community Action Month

H. Bid Openings:

Moved by Mr. Rosenfeld, seconded by Mr. Stephens, to approve the Consent Agenda of March 29, 2011. VOTE: 5-0, MOTION CARRIED

Review Council Calendar Items:

4:36 PM

COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:

Legislative Priorities: Ms. Pratt gave an update on the Cattle Point Relocation project and reported on her meeting with Adam Lemieux from Rep. Rick Larson’s office to discuss the Council’s Federal Legislative Priorities. Mr. Lemieux said that funding to update San Juan County’s Flood Insurance Rate Maps (FIRM) should be available in FY 2011 or FY 2012.

New rules have been issued by National Oceanic & Atmospheric Administration (NOAA) and the “no go zone” is not included in rules. Vessel distances from orcas have been doubled, and kayaks and sailboats are included.

Ms. Pratt reported that last weekend’s Great Island Clean Up was a tremendous success.

Ferries/FAC/Intermodal: Mr. Rosenfeld reported that the draft summer schedule has been successfully adjusted and works out well. The new schedule now allows for a day trip to Victoria. The Ferry Advisory Committee (FAC) meeting is tomorrow; the May meeting will be on Lopez Island. The Committee will be voting on a Co-Chair. The draft FAC Ordinance is coming forth for review to allow FAC to have the same rules as other ferry advisory groups.

Budget Subcommittee: No report

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

Solid Waste Subcommittee: Ms. Miller reminded Council about the change in the Workshop date, and she will send a revised timeline. She stressed that the vast majority of decisions must be made at the May 23 workshop.

Additional Updates and Discussion Items:

1. Revisions to Policy on Advisory Group Appointments (2nd Touch)

Ms. Pratt reported on draft policy changes made to the Appointments to County Advisory Committees, Boards and Commissions.

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to move the draft policy on Advisory Group Appointments to the Consent Agenda for April 19. VOTE: 5-0, MOTION CARRIED

2. Council Appointments to Districting Committee

Council made the following Council Appointments to the Districting Committee:

Doug Pearson (District #4)	Carl Bender (District #6)
Noel Monin (District #3)	Barbara Bentley (District #5)
Allen Rosenberg (District #1)	David Bayley (District #2)

Auditor Milene Henley will give an report on the 2010 Census data and the redistricting process at the May 10th meeting on Shaw Island.

Mr. Peterson thanked Pete Rose and Milene Henley for their support at his District 2 Town Hall meeting. There were approximately 40-45 people, and the meeting was well received.

5:05 PM ADJOURN AND SIGN DOCUMENTATION

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on April 19, 2011. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.