

SAN JUAN COUNTY (SJC), WASHINGTON
MEETING MINUTES
COUNTY COUNCIL
April 26, 2011

Tuesday, April 26, 2011 - Council Hearing Room, Legislative Building, Friday Harbor

10:00 AM CALL TO ORDER

Council Chair Lovel Pratt called the meeting to order at 10:00 a.m. Council Members present: Howard (Howie) Rosenfeld, Rich Peterson, 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.

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.

Excused Absences: Patty Miller

Moved by Mr. Fralick, seconded by Mr. Peterson, to excuse Patty Miller from today's meeting due to personal reasons, and it is noted that Ms. Miller is planning on being available for the Executive Session by conference call. VOTE: 5-0, MOTION CARRIED

New Employee Introduction: none

Citizens Access: The following citizens submitted comments: Dave Cable, Sharon Kivisto, Mike Carlson

Approval of Correspondence:

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to approve a letter to Secretary of the Interior Ken Salazar in support of two 2011 Federal Legislative Priorities: 1) securing federal funds for the Cattle Point Road Realignment Project, 2) support long term protection of the Bureau of Land Management Properties in San Juan County through a National Conservation Area Designation, and making the correction to "Salish Sea." VOTE: 5-0, MOTION CARRIED

10:15 AM PUBLIC HEARINGS:

1. To Consider an Ordinance Amending the 2011 San Juan County Budget for Beginning Cash Balances – Auditor Milene Henley
Present: (5) Council Members, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Ms. Henley described an ordinance amending the 2011 SJC Budget for Beginning Cash Balances. Ms. Pratt opened for public testimony, and no comments were offered. Public

testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to adopt an Ordinance Amending Ordinance 29-2010, Revising the San Juan County 2011 Budget for Beginning Cash Balances. VOTE: 5-0, MOTION CARRIED

2. To Consider an Ordinance Amending the 2011 San Juan County Budget for Supplemental Appropriations – Auditor Milene Henley
Present: (5) Council Members, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Ms. Henley described an Ordinance revising the San Juan County 2011 Budget for Supplemental Appropriations. Ms. Pratt opened for public testimony, and no comments were offered. Public testimony was closed, with the right to reopen. After discussion, the following action took place:

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to adopt an Ordinance Amending Ordinance 29-2010 by Revising the San Juan County 2011 Budget for Supplemental Appropriations. VOTE: 5-0, MOTION CARRIED

3. To Consider an Ordinance Amending the 2011 San Juan County Budget for Emergency Appropriations – Auditor Milene Henley
Present: (5) Council Members, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Ms. Henley described an Ordinance revising the San Juan County 2011 Budget for Emergency Appropriations. Ms. Pratt opened for public testimony, and no comments were offered. Public testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Peterson, seconded by Mr. Stephens, to approve an Ordinance Amending Ordinance 29-2010 by Revising the San Juan County 2011 Budget for Emergency Appropriations, provided that the expenditure of lodging tax for the Parks & Fair Department not occur until the statutory Lodging Tax Advisory Committee process has taken place, and the Council has responded to the recommendation. VOTE: 5-0 , MOTION CARRIED

10:45 AM RECOGNITION: Sheriff Rob Nou presented a Proclamation to Rick Hughes commending his efforts in carrying out the San Juan County's Prescription Drug Take-Back Program.

10:40 AM BREAK

10:58 AM COUNTY ADMINISTRATOR ITEMS:

1. Property Use Agreement for Student Greenhouse – Students Ryan Cole, Parker Satin, Cole Pierce

The Friday Harbor High School Students presented their Community Project and gave a PowerPoint presentation.

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to authorize the County Administrator to negotiate a contract with Land & Sea for the construction of a greenhouse on County property subject to the conditions as set forth in County Administrator’s memo to the Council regarding this matter. VOTE: 5-0, MOTION CARRIED

**11:21 AM Ceremony honoring retiring San Juan County Staff Members
Karen Vedder and John Van Lund**

11:26 AM DISCUSSION: Amendments to the Ordinance on Dangerous Dogs (1st Touch) – Deputy Prosecuting Attorney Karen Vedder

Ms. Vedder explained the most recent amendments to the County dangerous dog ordinance that will make the Town of Friday Harbor and County’s Ordinances compatible. Sheriff Nou will act as Animal Control Officer. There are some questions regarding the licensing of dangerous and potentially dangerous dogs, and license fees. The next step is to prepare ordinances for review, and an interlocal agreement for the Sheriff to be the Animal Control Officer.

11:45 AM COMMITTEE REPORT AND WORK PLAN: Noxious Weed Control Board 2010 Program Status Report – Coordinator Richard Lee

Mr. Lee reviewed the 2011 Work Plan and emphasized prevention as the primary function of the Noxious Week Control Board.

Moved by Mr. Rosenfeld, seconded by Mr. Stephens, to approve the 2011 Work Plan for the San Juan County Noxious Weed Control Program. VOTE: 5-0, MOTION CARRIED

12:02 PM RECESS FOR LUNCH

1:04 PM DISCUSSION: 2011 Historic Preservation Grant Funds – Council

Ms. Pratt opened.

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to apply the Council Historic Preservation Funds to use within the County departments, subject to an internal grant application and award process. VOTE: 5-0, MOTION CARRIED

1:20 PM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Ms. Gabriel reminded Council that the next meeting would be May 10 on Shaw Island, and next public hearing is calendared for May 17. The Clerk reviewed the upcoming costs of the

National Association of Counties Conference in July. The Council will continue the discussion on May 10 when a decision will be made regarding attendance at the NACo Conference.

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

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to appoint Sherry Brummel to the Human Services Advisory Board. VOTE: 5-0, MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Fralick, to appoint Ann Warsen to the Lodging Tax Advisory Committee. VOTE: 5-0, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Fralick, to reassign Sandy Playa from a Receiver position to a Contributor position on the Lodging Tax Advisory Committee. VOTE: 5-0, MOTION CARRIED

Review and Approve Minutes of April 19, 2011:

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to approve the Minutes of April 19, 2011. VOTE: 5-0, MOTION CARRIED

Review Agendas:

Review and Approve Consent Agenda:

A. Resolutions:

Ordinances:

B. Contracts/Agreements:

C. Budget Items:

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

- Warrant #93548 in the amount of \$31,000 for Housing Loan
- Warrants #93828-93876 in the amount of \$45,256.25 for Public Works
- EFT #04142011 in the amount of \$2,162.29 for Parks EFT
- Warrants #936695-93827 in the amount of \$173,795.76 for County Claims
- Interfund transfers for the month of March, 2011

D. Personnel:

E. Appointments

F. Correspondence:

G. Miscellaneous:

Policy Regarding Appointments to County Advisory Committees, Boards & Commissions

H. Bid Opening

Moved by Mr. Peterson, seconded by Mr. Stephens, to approve the Consent Agenda of April 26, 2011. VOTE: 5-0, MOTION CARRIED

Council Calendar Items:

Mr. Rosenfeld reminded Council that the Ferry Community Partnership will meet on Saturday, May 22, at the Cap Sante Retirement Center in Anacortes. All three Legislative representatives are expected to attend.

There will be a public meeting with Washington State Ferries on Wednesday, June 8, 5-7 pm, in the Council Chambers. The meeting will be live-streamed.

1:49 PM **2011 COMMITTEE REPORT AND WORK PLAN:** Water Resources Management Committee (WRMC) 2011 Work Plan – Chair Paul Kamin, Environmental Health Manager Mark Tompkins

Mr. Kamin gave a report on the 2010 activities of the WRMC. Mr. Kamin asked the Council for affirmation of the work WRMC is doing. He also offered the WRMC 2011 Work Plan.

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to affirm the work WRMC is doing, and to approve the 2011 Work Plan for the Water Resources Management Committee (WRMC). VOTE: 5-0, MOTION CARRIED

Mike Ellis has resigned after six years on WRMC. Mr. Kamin will draft a letter of thanks for Council to review.

2:12 PM **Update on Farm and Agricultural Conservation Applications**

Shireene Hale, Planning coordinator, and Charles Zalmanek, Assessor, responded to questions asked earlier during citizen's access and described legal application processing. Mr. Zalmanek described a process by which participants will have to meet an income requirement, and if they are unable to do so, they will be issued an Intent to Move (with response deadline of 30 days). If participants fail to respond, they will be issued of Notice of Removal from the program (or they will have to apply for a reclassification). Mr. Zalmanek will act accordingly when he receives the list of participants in this category from Community Development & Planning.

SMP Technical Advisory Committee

Ms. Hale and Mr. Maycock, Senior Planner, answered questions from the Council. It was agreed that Mr. Maycock will publish an RFQ (request for qualifications) for recruitment of the Shoreline Master Program's Technical Advisory Committee. Mr. Fralick, Ms. Miller and Ms. Pratt will conduct the interviews and provide the Council with recommendations.

2:10 PM **COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:**

Legislative Priorities: Ms. Pratt reported that the legislature has begun a special session today. In addition to the capital and operating budgets, there are between 45-60 bills necessary to implement the budget that need action. Ms. Pratt also reported on the current status of three ferry bills that are still active: HB 5742, HB 1516, and HB 2053.

Ferries/FAC/Intermodal: Mr. Rosenfeld reported that the next Ferry Advisory Committee meeting is May 11 on Lopez Island. A transportation bill supported by Senator Ranker has been signed. Fuel surcharges are included in the state budget, and the details are still being worked out. Mr. Rosenfeld encouraged support of HB 2053 which will provide revenue for a variety of transportation needs.

Budget Subcommittee: Mr. Fralick advised that there will be a work plan report on May 10.

General Government Subcommittee: Mr. Peterson reported that the committee is completing the following: 1) Marine Resources Committee rules, 2) Ferry Advisory Committee Ordinance, 3) Code Enforcement Ordinance.

Solid Waste Subcommittee: none

Additional Updates & Discussion Items:

Mr. Stephens reported that a group of citizens on Lopez Island have approached the Port of Lopez to explore becoming a Solid Waste District.

2:38 PM Jane Cable asked about the May 16 BAS Workshop and how public comments will be structured. Chair Pratt responded, noting that public comment would be taken at the beginning of the meeting and after the conference call to the scientists.

2:38 PM EXECUTIVE SESSION: To discuss current and pending litigation pursuant to RCW 42.30.110(1)(i) – Prosecuting Attorney Randall Gaylord

At 2:50 PM, Council Chair Pratt 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 60 minutes.

Present: Six Council members (Patty Miller attending telephonically), Prosecuting Attorney Randall Gaylord, Deputy Prosecuting Attorney Karen Vedder, Chief Civil Deputy Prosecuting Attorney Jon Cain, County Administrator Pete Rose, Deputy County Administrator David Kelly, and Clerk to the Council Ingrid Gabriel. At 3:50 it was announced that the session would take an additional 5 minutes; at 3:55 5 minutes were added; at 4:00 10 minutes were added. The session ended at 4:05 for a total executive session time of 1 hour and 15 minutes.

No Action was taken.

Ms. Gabriel stepped out of the hearing room and announced that the executive session had ended. Ms. Pratt called the meeting back into regular session and then adjourned the meeting.

4:05 PM ADJOURN AND SIGN DOCUMENTATON

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on May 10, 2011. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.