

SAN JUAN COUNTY (SJC), WASHINGTON
MEETING MINUTES – SPECIAL MEETING
COUNTY COUNCIL
November 8, 2011

Tuesday, November 8, 2011 - Council Hearing Room, Legislative Building, Friday Harbor

SPECIAL MEETING – EARLY START

8:47 AM **DISCUSSION:** Third Quarter Financial Review – Pete Rose, County Administrator

Chair Lovel Pratt opened the session and introduced County Administrator Rose. Mr. Rose led a discussion about the state of the County's revenues and expenditures in the third quarter.

9:15 AM **COUNTY ADMINISTRATOR ITEMS:** Pete Rose, County Administrator

1. **ADOPT:** 2012 Annual Road Plan – Rachel Dietzman, County Engineer

Ms. Dietzman asked if Council had any further questions regarding the Road Plan. Ms. Miller asked that the five year equipment upgrade needs list be removed from the Annual Road Program 2012. After discussion, the following action took place:

Moved by Mr. Peterson, seconded by Mr. Stephens, to adopt a Resolution approving the Annual Road Program for 2012 including the purchase of three pieces of equipment. ALL AYES, MOTION CARRIED

2. Review of 2012 Fees and Charges Ordinance – Pete Rose, County Administrator

Mr. Rose reported an Ordinance to increase fees in Building Permits and Parks User fees. Mr. Beliveau explained the revised Community Development & Planning (CD&P) building permit fees for 2012.

By consensus, the Council agreed to direct staff to review the minimum fee of \$105, and rework the table to establish lower minimum fees.

Ms. Wuthnow asked if Council had any questions regarding the proposed park fee schedule changes. After discussion, the following action took place:

Moved by Mr. Fralick, seconded by Mr. Stephens, to set a public hearing to consider an Ordinance for setting the fee changes for Building Permits with the changes discussed this morning and Parks Camping on November 29, 2011 at 10:15 am. ALL AYES, MOTION CARRIED

9:55 AM **BREAK**

10:00 AM **CALL TO ORDER REGULAR MEETING**

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

Chair Pratt welcomed everyone who is live-streaming the council meeting and reminded the public that live-streaming and three months of prior council meeting videos can be accessed by going to the San Juan County website www.sanjuanco.com and selecting the County Council tab.

New Employee Introductions: Health & Community Services Director John Manning introduced Melanie Rollins, the new Housing Coordinator.

Prosecuting Attorney Randall Gaylord introduced Elizabeth Halsey, the new Law & Justice Assistant V who will be working with land use and child support.

Approval of Minutes (November 1, 2011):

Moved by Mr. Stephens, seconded by Mr. Peterson, to approve the Minutes of November 1, 2011. ALL AYES, MOTION CARRIED

Approval of Consent Agenda for November 8, 2011:

A. Resolutions:

Ordinances:

B. Contracts/Agreements:

C. Budget Items:

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

- Payroll expenditures for the pay period ending 10/24/2011
- Warrants #102403-102474 in the amount of \$78,881.11 for County Claims
- Warrant #102217 in the amount of \$1,409.67 for Assessor Bulk Mail
- Warrants #102475-102501 in the amount of \$187,528.43 for Public Works Claims
- Warrants #102637-102641 in the amount of \$675.03 for Veteran's Assistance
- Warrants #102516-102598 in the amount of \$85,434.40 for County Claims
- Warrants #102599-102636 in the amount of \$61,990.10 for Public Works

D. Personnel:

E. Appointments

F. Correspondence:

G. Miscellaneous:

A Proclamation honoring Roy Hiroshi Matsumoto

H. Bid Openings:

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to approve the Consent Agenda of November 8, 2011. ALL AYES, MOTION CARRIED

Approval of Correspondence: none

Citizens Access: The following citizen offered comment: Steve Revella

10:10 AM Committee Report:

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to reappoint Bob Gamble to the Planning Commission. ALL AYES, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to reappoint Karin Agosta to the Planning Commission. ALL AYES, MOTION CARRIED

Moved by Mr. Rosenfeld, seconded by Mr. Stephens, to reappoint Barbara Thomas to the Planning Commission. ALL AYES, MOTION CARRIED

10:15 AM PUBLIC HEARING – To Consider an Ordinance Amending the Building Advisory Council Ordinance – Rene Beliveau, Director Community Development and Planning
Present: Full Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Chair Pratt informed those present that the Ordinance Adopting Rules of Procedures for Public Hearings could be found on the table near the entrance.

Mr. Beliveau reviewed the changes to the Ordinance. He answered questions from the Council. 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. Peterson, to approve an Ordinance regarding the Building Advisory Council and Amending Sections 2.25.010 and 2.25.030 of the San Juan County Code. ALL AYES, MOTION CARRIED

10:20 PM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Ms. Gabriel reminded the Council that that there will not be a meeting the week of November 14, but four Council members will be attending the Washington State Association of Counties (WSAC) conference. The next regular meeting will be on November 29.

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

Moved by Mr. Peterson, seconded by Ms. Miller, to appoint Anna Howden to the Building Advisory Council, Position #1, the term expiring 12/12. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Ms. Miller, to appoint Richard Russell to the Building Advisory Council, Position #2, the term expiring 12/12. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Stephens, to appoint Kent Ducote to the Building Advisory Council, Position #3, the term expiring 12/12. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Ms. Miller, to appoint Kathy Cope to the Building Advisory Council, Position #4, the term expiring 12/13. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Stephens, to appoint Lori Williams to the Building Advisory Council, Position #5, the term expiring 12/13. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to appoint William Gossett to the Building Advisory Council, Position #6, the term expiring 12/13. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to appoint Mark Hetrick to the Building Advisory Council, Position #7, the term expiring 12/14. ALL AYES, MOTION CARRIED

Moved by Mr. Peterson, seconded by Mr. Stephens, to appoint Jack Cory to the Building Advisory Council, Position #9, the term expiring 12/14. ALL AYES, MOTION CARRIED

10:25 AM COUNCIL DISCUSSION ON 2012 LEGISLATIVE PRIORITIES WITH STATE REPRESENTATIVE JEFF MORRIS

11:53 PM RECESS FOR LUNCH

1:00 PM DISCUSSION: General Section of the Critical Areas Ordinance (CAO) Update (continued) – Shireene Hale, Planning Coordinator; Janice Biletnikoff, Planner III; Jon Cain, Deputy Prosecuting Attorney

Ms. Hale led the discussion in reviewing the proposed ordinance. The discussion began on Page 13 of 24 of the Ordinance.

By consensus, the Council agreed to replace the word “revegetated” to “stabilized” on page 14 of 24, #3

By consensus, the Council agreed to direct staff to provide language allowing for an exemption for existing homes as of the date of adoption to clear a 30 ft. defensible space for the Firewise program.

By consensus, the Council direct staff to reword the language on #6, page 14 of 24.

By consensus, the Council directed staff to rewrite the language in the opening sentences of D. Reasonable Use Exception on Page 14 of 24.

By consensus, the Council agreed to direct staff to rework the language in Reasonable Use Exemption to include percentages of the development area.

By consensus, the Council agreed to direct staff to change under #5, in Option Two a. (With Mitigation) remove the word “full” and in b. add the words “reasonable use exception” development over 10,890 s.f., on Page 15 of 24.

By consensus, the Council agreed to direct staff to eliminate references to a standard mitigation plan.

By consensus, the Council agreed to direct staff to eliminate the last part of the sentence on #8. e. beginning with “and shall be capable of providing substitute conditions...” on Page 16 of 24.

By consensus, the Council agreed to direct staff to add language regarding recreational use on 8.c. after “e.g., creating new parcels...” on Page 16 of 24

By consensus, the Council agreed to direct staff to reword the language of 8.b. on Page 16 or 24

On Page 17 of 24, Optional Public Agency and Utility Procedures, under #4, the discussion centered on whether a conditional use permit or provisional use permit should apply.

Moved by Ms. Miller, seconded Mr. Fralick, to direct staff to research application for discretionary application for section E.4., page 17 of 24, and if it not feasible, to apply a provisional use process for section E.4. VOTE: 3-3 (Miller, Fralick, Peterson ayes), (Pratt, Rosenfeld, Stephens opposed) MOTION NOT CARRIED

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, on #E. 4. page 17 of 24, should discretionary use not be feasible that staff would put in a conditional use process. VOTE: 3-3 (Rosenfeld, Stephens, Pratt ayes), (Miller, Fralick, Peterson opposed), MOTION NOT CARRIED

By consensus, the Council agreed to direct staff to come up with discretionary language with two versions for Council review.

By consensus, the Council agreed to direct staff to amend the language on #6, page 18 of 24, to say “shall be approved based on the following criteria” and remove d. and e.

By consensus, the Council agreed to direct staff to amend the language in F.1.

By consensus, the Council agreed to direct staff to amend the language in F.3. and other references to the decision maker.

By consensus, the Council agreed to direct staff to amend the language in #F.5.d., on page 19 of 24.

By consensus, the Council agreed to direct staff to amend the language on #F.5., on page 19 of 24, to include scale and scope.

By consensus, the Council agreed to direct staff to remove #G on page 20 of 24.

By consensus, the Council agreed to direct staff to add on #H. Nonconforming structures, uses and “activities” on Page 20 of 24.

By consensus, the Council agreed to direct staff to add the last sentence of #H.4., (“the director may extend this time period for good cause”) and put in at the end of #H.1.

By consensus, the Council agreed to direct staff to provide further clarity to the section #H on Nonconforming structures and uses and to leave in the word “grandfathered.”

By consensus, the Council agreed to direct staff to work on the definition of development area to include construction phase and gardens.

By consensus, the Council agreed to direct staff to develop a definition of “No Net Loss” in draft form for review, and specifically reference the WAC in the definition.

Moved by Mr. Fralick, seconded by Mr. Stephens, to move an Ordinance regarding the General Section for Critical Areas Regulations; Amending San Juan County Code Sections 18.20., 18.30.110 and adding a New Section to SJCC 18.80, to December 5, 2011, at 8:45 am. ALL AYES, MOTION CARRIED

Ms. Miller reported on a special public access time to allow citizens a chance for a more in depth discussion. The meeting is scheduled for November 28, and there will be a facilitator. JS, RP, RF

5:20 PM ADJOURN

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on November 29, 2011. The original document is retained in the Council’s permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.