

**MEETING MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
December 7, 2010**

Tuesday, December 7, 2010 - Council Hearing Room, Legislative Building, Friday Harbor

**10:02 AM CALL TO ORDER**

Council Chair Richard Fralick called the meeting to order at 10:02 a.m. Council members present: Vice-Chair Lovel Pratt, Howard (Howie) Rosenfeld, Gene Knapp, and Rich Peterson; 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. Knapp, seconded by Ms. Pratt, to excuse Mr. Myhr from the meeting for the reason that he is on vacation. ALL AYES, MOTION CARRIED**

Mr. Fralick reminded the public that video recordings of Council meetings held in the Council Legislative Hearing Room are available for on-line viewing the day after the meeting. The videos will be archived for the three previous months and can be accessed by going to the San Juan County website [www.sanjuanco.com](http://www.sanjuanco.com) and selecting the County Council tab.

Downloads from which to burn DVDs of meetings as well as attached documents are now available by ordering directly from the website. A sheet with directions is available on the back table.

Because of the demands on our staff's time, we ask that you please take advantage of the online service if at all possible. For those who are unable to download and burn due to technological limitations, our staff has a limited capacity to produce copies of the video on USB memory sticks. The cost is \$20 each.

**Citizens Access:** The following citizens submitted comments: Pamela Gross, Marilyn O'Connor, Sharon Kivisto

**10:15 AM Clerk Update and Administrative Matters – Clerk Ingrid Gabriel, Deputy Clerk Maureen See**

Ms. Gabriel reminded the Council that the January 4 meeting is the next available date for a public hearing. Ms. Gabriel asked for a short recess prior to the Employee Recognition, and announced that there will be an Employee Appreciation Lunch following.

**Committee Update:** Ms. See gave a committee update. After discussion, the following action took place:

**Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to appoint Barbara Bentley to the Marine Resource Committee Position #5. ALL AYES, MOTION CARRIED**

**Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to appoint Gregg Deitzmann to the Marine Resource Committee Position #14. ALL AYES, MOTION CARRIED**

**Approval of Minutes of November 30, 2010:**

Ms. Pratt cited one omission in the Minutes on Line 169, add the word “Public” to Works Director.

**Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to approve the Minutes of November 30, 2010 as corrected. ALL AYES, MOTION CARRIED**

**Review Agendas:** none

**Review and Approve Consent Agenda:**

A. Resolutions:

A Resolution granting the Hadac Open space Classification, File No. POPNSP-10-0002, San Juan Island

A Resolution closing petty cash and change funds, Parks & Recreation Department  
Ordinances:

B. Contracts/Agreements:

C. Budget Items:

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

- Warrants #87947-87974 in the amount of \$83,620.62 for Public Works
- Warrants #87898-87946 in the amount of \$70,135.53 for County Claims
- Warrants \$87638-87643 in the amount of \$2,865.42 for Veteran’s Assistance
- EFT #11222010 in the amount of \$5,170.64 for Public Works Excise
- Warrants #87686-87770 in the amount of \$45,369.60 for County Claims
- Warrants #87771-87787 in the amount of \$23,341.79 for Public Works
- Warrant #87788 in the amount of \$150 for Veteran’s Assistance

D. Personnel:

E. Appointments

F. Correspondence:

G. Miscellaneous:

H. Bid Openings:

**Moved by Mr. Knapp, seconded by Mr. Peterson, to approve the Consent Agenda of December 7, 2010. ALL AYES, MOTION CARRIED**

**Review Council Calendar Items:**

Ms. Pratt and Mr. Peterson are going to Olympia on December 8 and 9 to participate in the Washington State Association of Counties’ training of newly elected officials.

**10:25 AM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS**

**Ferries/FAC/Intermodal:** Mr. Rosenfeld reported that the Ferry Advisory Committee (FAC) will meet tomorrow in the Large Conference. He shared a chart with Council that showed the Washington State Ferries’ Operating Costs in what appears to be an unsustainable financial trajectory. Mr. Rosenfeld pointed out that ferries were not mentioned in the car tab vote some years back as if voters made no connection with ferry costs. Several meetings lay ahead regarding ferry issues: the Executive Committee meets on Friday December 8 in Olympia; Ferry partnership groups meet on Saturday, December 11 in Anacortes; and the WSF meeting

on December 14 in the Council Hearing Room.

**Budget Subcommittee:** Mr. Fralick had nothing to report at this time.

**General Government Subcommittee:** Mr. Knapp reported that the General Government Subcommittee held a productive meeting this morning on Land Bank projects. Lincoln Bormann will be drafting a proposal for the committee's review and they will meet again next week.

Mr. Knapp attended a Northwest Regional Council meeting last week and praised the work the group has been doing the past years. Mr. Knapp urged the Council to continue to pay attention to this important organization.

**Legislative Priorities:**

Ms. Pratt reported she had a teleconference with Sheila Malcolmson and Clare Frater of Islands Trust. Ms. Pratt will have a draft joint letters for Council consideration on December 14. The first letter is in regard to oil spill legislative priority, the second is a letter in support of the Canadian Coast Guard's interim measure of increasing tug escorts.

Ms. Pratt also suggested a letter be drafted regarding Washington State Ferry issues that could be sent to the Governor and the Transportation Commission. Mr. Rosenfeld and Ms. Pratt agreed to collaborate on a letter.

**Additional Updates & Discussion Items:** none

**10:39 AM RECESS**

**10:46 AM PUBLIC HEARINGS:**

1. To Consider an Ordinance Amending Ordinance Amending Ordinance 39-2009, 7-2009, 7-2010, 8-2010, 9-2010 and 20-2010 by Revising the San Juan County 2010 Budget for Supplemental Appropriations and Transfers – Pete Rose, County Administrator; Jose Domenech, Chief Deputy Auditor

**Present:** Four Council (Myhr and Pratt absent), County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Fralick opened for public testimony, and no comments were offered. Public testimony was closed with the right to reopen.

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to adopt an Ordinance Amending Ordinance 39-2009, 7-2010, 8-2010, 9-2010, and 20-2010 by Revising the San Juan County 2010 Budget for Supplemental Appropriations and Transfers. VOTE 4-0 (Pratt and Myhr absent), MOTION CARRIED**

2. To Consider an Ordinance Amending Ordinances 39-2009, 7-2010,

9-2010 and 20-2010 by Revising the San Juan County 2010 Budget for Emergency Appropriations – Pete Rose, County Administrator; Jose Domenech, Chief Deputy Auditor

**Present:** Four Council (Myhr and Pratt absent), County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Maureen

Mr. Fralick 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. Rosenfeld, seconded by Mr. Peterson, to Adopt an Ordinance Amending Ordinance 39-2009, 7-2010, 9-2010, and 20-2010 by Revising the San Juan County 2010 Budget for Emergency Appropriations. VOTE: 4-0 (Myhr and Pratt absent) MOTION CARRIED**

3. To Consider an Ordinance Regarding Legislative Procedures for Adoption of and Amendment to Planning Documents; Amending San Juan County Code Sections 18.90.020, 18.90.025, 18.90.040, and 18.90.050 – Colin Maycock, Senior Planner

**Present:** Five Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Rose offered an introduction of the option of amending the SJC UDC. During Mr. Rose's comments, Ms. Pratt rejoined the public hearing at 10:57 am.

Mr. Maycock explained the proposed amendments to the routine code maintenance and the functions as a means to facilitate the process in the future.

Mr. Fralick opened for public testimony, and comments were offered by Jack Cory, Sharon Kivisto. Public testimony was closed with the right to reopen. After discussion, the following action took place:

**Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to Adopt an Ordinance Titled "An Ordinance Regarding Legislative Procedures for Adoption of an Amendment to Planning Documents; Amending San Juan County Code Sections 18.90.020, 18.90.025, 18.90.040, and 18.90.050" as amended on page 3 of 8, "H. Unified Development Code (UDC) Amendment" to read "Amendments to the UDC may be adopted at any time." An additional change is on page 1, under J., #III is deleted. VOTE: 5-0, MOTION CARRIED**

**11:28 AM Five Minute Break Prior to EMPLOYEE RECOGNITION**

**11:33 PM EMPLOYEE RECOGNITION DAY**

The following employees were celebrated:

**30 Years of Service:** Bill Cumming, Dave Kitchen;

**25 Years of Service:** Jeff Asher, Nancy Best, Joyce Rupp, Kathleen Wilson, Barbara Wright;

**20 Years of Service:** Bev Champlin, Kristy Cozine. Doyle Muir;

**15 Years of Service:** Mike Copas, Randy Gaylord, Phyllis Morrison, Jan Sears, Charlie Silverman, LouAnne Spendiff, Bonnie Stanger, Joan White, Charles Zalmanek;

**10 Years of Service:** Judge Stewart Andrew, Antonia Bailey, Doug Brow, Jim Cardinell, Sharon Lowell, Renee Nichols, Rhonda Pederson, Linda Tretheway, Bob Turner, Helen Venada, Glen Williams;

**5 Years of Service:** Lincoln Bormann, Karen Costanza, Ron Gilleland, Katherine Hagn, Bob Hammermeister, Jeanette Longan, Michael McElrath, Bob Myhr, Mary O'Bryant, Curt Rosich, Dan Vekved.

**12:00 PM           EMPLOYEE APPRECIATION LUNCH**

**1:30 PM**           4. To Consider an Ordinance Setting Fees for Services Provided by the San Juan County Community Development and Planning Department and Amending Ordinance 43-2009 and an Ordinance Setting the Fees for Solid Waste Handling Services provided by San Juan County and Repealing Ordinance 24-2010 – Pete Rose, County Administrator  
**Present:** Five Council, County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Rose introduced the 2011 Fee changes, and the two proposed ordinances. Mr. Beliveau explained three changes to the proposed ordinance involving fees. Karen Vedder, Deputy Prosecuting Attorney, answered Council questions.

Mr. Fralick opened for public testimony, and comments were offered by Jack Cory, Sharon Kivisto. Public testimony was closed with the right to reopen.

After discussion, the following action took place:

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to Approve an Ordinance Setting Fees for Services Provided by the San Juan County Community Development and Planning Department as amended and Amending Ordinance 43-2009. ALL           AYES, MOTION CARRIED**

Discussion of the second proposed ordinance followed. Mr. Fralick opened for public testimony, and no comments were offered. Public testimony was closed with the right to reopen. Utilities Manager Ed Hale answered questions from the Council.

Mr. Fralick noted that Mr. Knapp left the room at 2:03 pm. The Council held deliberations. The following action took place:

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to Approve an Ordinance Setting the Fees for Solid Waste Handling Services Provided by San Juan County and Repealing Ordinance 24-2010 using the second Attachment A.  
WITHDRAWN**

**Moved by Ms. Pratt, seconded by Mr. Peterson, to Approve an Ordinance Setting the Fees for Solid Waste Handling Services Provided by San Juan County and Repealing Ordinance 24-3010, including Attachment A with the following modifications under comingled recycling: up to one grocery bag of recycling with at least the minimum garbage fee equals no charge ; over one grocery bag and up to one cubic yard equals \$5; one to two cubic yards equal \$25; over two cubic yards equal \$50.  
VOTE: 4-0 MOTION CARRIED**

5. To Consider an Ordinance to Amend the Personnel Rules Subsection (2) of Section 8.050 to Allow for Appeal Process to Exceed Limits of Vacation Leave Accrual and Section 8.090 to Clarify the Delegation of Authority to Declare Countywide Office Close Due to Emergency –  
Pete Rose, County Administrator

**Present:** Four Council (Myhr and Knapp absent), County Administrator Pete Rose, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Rose explained the recommended changes to Personnel Rules and rules for Emergency Weather Procedure.

Mr. Fralick 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 Ms. Pratt, to Approve an Ordinance to Amend the Personnel Rules Subsection (2) of Section 8.050 to Allow for appeal process to Exceed Limits of Vacation Leave Accrual and Section 8.090 to Clarify the Delegation of Authority to Declare a Countywide Office Closure Due to Emergency. VOTE: 4-0, MOTION CARRIED**

**2:23 PM**

**COUNTY ADMINISTRATOR ITEMS:**

1. Update of Planning Priorities – Shireene Hale, Planning Coordinator
  - a. Essential Public Facilities
  - b. Vesting
  - c. Comprehensive Current Use Evaluation
  - d. Renewable Energy Installations

Planning Coordinator Shireene Hale reported that grants have been received, and that planning priority hierarchy will remain attending to basic functions including code maintenance and grants with contractual obligations; response to Growth Board orders, completion of the Critical Area update; and actions required by State or Federal law or County Code. Deputy Prosecuting Attorney answered questions from the Council.

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to Approve the Planning Work Schedule as proposed. VOTE: 4-0, MOTION CARRIED**

2. Acceptance of a Conservation Easement for Taylor Property (Beaverton Marsh), San Juan Island, Conservation Easement – Lincoln Bormann, Land Bank Director

Mr. Bormann gave a PowerPoint presentation on the Taylor Property.

**Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to approve a Resolution to Accept the Deed for the Taylor Conservation Easement Property in Beaverton Valley, San Juan Island. VOTE: 4-0, MOTION CARRIED**

3. Acceptance of an Amended Conservation Easement Deed on the Mulno Cove Property, San Juan Island – Lincoln Bormann, Land Bank Director

Ms. Pratt recused herself from the meeting, and left the hearing room

Mr. Bormann gave a PowerPoint presentation on the Mulno Cove Conservation Easement.

This matter will be forwarded to Consent agenda on December 14

4. Odlin Park Improvement Project Update – Dona Wuthnow, Director Parks, Recreation and Fair

Mr. Rose introduced the Odlin Park Renovation Project. Ms. Wuthnow gave a PowerPoint presentation on the project.

**Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to Approve the Odlin Park Renovation design plans Option 2 and group campground development, and direct staff to move forward with pursuing the funding options as presented. VOTE: 4-0, MOTION CARRIED**

**3:27 PM**

**CLOSED SESSION:** To discuss matters pertaining to collective bargaining pursuant to RCW 42.30.140(4)(b) – David Kelly, Deputy County Administrator

At 3:27 PM Council Chair Fralick 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 20 minutes. Present: Council (Knapp and Myhr absent) County Administrator Pete Rose, Human Resources Manager Pamela Morais,

Deputy County Administrator David Kelly and Council Clerk Ingrid Gabriel. The session ended at 3:40 for a total closed session time of 13 minutes.

**No Action was taken.**

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

**3:40 PM                      ADJOURN AND SIGN DOCUMENTATION**

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**These Minutes were approved and signed on December 14, 2010. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.**