

**MEETING MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
December 14, 2010**

Tuesday, December 14, 2010 - Council Hearing Room, Legislative Building, Friday Harbor

**10:05 AM CALL TO ORDER**

Council Chair Richard Fralick called the meeting to order at 10:05 a.m. Council members present: Vice-Chair Lovel Pratt, Howard (Howie) Rosenfeld, Gene Knapp, and Rich Peterson; Deputy County Administrator David Kelly, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public were present.

**Moved by Mr. Peterson, seconded by Ms. Pratt, to excuse Mr. Myhr from the meeting for the reason that he is on vacation. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

**Moved by Ms. Pratt, seconded Mr. Peterson, to excuse Pete Rose from today's meeting for the reason that he is on vacation. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

**Moved by Mr. Rosenfeld, seconded by Ms. Pratt, to allow Mr. Knapp to attend the meeting via telephone during public hearing portion of today's meeting. VOTE: 4-0 (Myhr and Knapp absent), 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: Sharon Kivisto; Sam Buck; Jack Cory

Mr. Fralick noted that there will be a Solid Waste Loan Funding Discussion at 2:15 pm prior to the Solid Waste Program Request for Proposal discussion.

**10:26 AM Clerk Update and Administrative Matters – Clerk Ingrid Gabriel, Deputy Clerk Maureen See**

Ms. Gabriel reminded the Council that their next meeting will be January 4, 2011, which is the next available time for a public hearing.

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

took place:

**Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to appoint Rick Hughes to the Eastsound Planning Review Committee Position #4. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

**Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to appoint Teri Williams to the Eastsound Planning Review Committee Position #5. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to reappoint Susan Fletcher to the Lodging Tax Advisory Committee as a Contributor. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

**Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to reappoint Brian Ehrmantraut to the Planning Commission, Position #4. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

**Approval of Minutes of December 7, 2010:**

**Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to approve the Minutes of December 7, 2010. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

**Review Agendas:** none

**Review and Approve Consent Agenda:**

Approval of the Consent Agenda will be put on hold until Mr. Knapp can join the meeting by telephone.

It was noted that Ms. Pratt will recuse herself from voting on the Consent Agenda for December 14, 2010.

**A. Resolutions:**

A Resolution to Amend the Deed of Conservation Easement for the Mulno Cove/Pratt Property on San Juan Island

Ordinances:

**B. Contracts/Agreements:**

Renewal of Hearings Examiner Contract

North Sound Mental Health Administration San Juan County Administrative Services Funding (Contract #NSMHA-Sand Juan Admin-10)

**C. Budget Items:**

Warrant #88079 County Claim in the amount of \$175.00

Warrant #88082 - 88231 County Claims in the amount of 144,597.34

Warrant #88232 - 88271 Public Works claims in the amount of \$43,686.71

**D. Personnel:**

**E. Appointments**

**F. Correspondence:**

**G. Miscellaneous:**

**H. Bid Openings:**

**Review Council Calendar Items:** None

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

**Ferries/FAC/Intermodal:** Mr. Rosenfeld introduced a letter regarding environmental quality and asked the Council if they wish to sign it. Discussion of the letter will be continued to the afternoon.

The Governor's budget reduction recommendations will be released this week and is expected to reveal further ferry cuts. The Ferry Advisory Committee (FAC) is working on a letter to the legislature that will be submitted to the Council at the beginning of the New Year. FAC is working on different strategies including cost analysis and cost comparisons. The Ferry Community Partnership met on Saturday in Anacortes with Mr. Rosenfeld and Ms. Pratt present. The Washington State Ferries (WSF) will meet this evening in the Council Hearing Room via live streaming.

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

**General Government Subcommittee:** Mr. Peterson reported that the Committee met this morning, with representatives from the Land Bank, to continue discussion on procedural changes.

**Legislative Priorities:** Ms. Pratt proposed a draft joint letter from the Islands Trust and the San Juan County Councils to the U.S. and Canadian Coast Guards regarding marine water protection. Ms. Pratt also provided a draft of a joint news release. It was agreed that Stan Matthews would work with the Islands Trust staff to finalize a joint news release on the letter.

**Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to approve the joint letter by the Councils of Islands Trust and San Juan County. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

There was brief discussion on the training for newly elected officials held last week by the Washington State Association of Counties.

It was agreed that the Council would like to get a preliminary opinion from Community Development and Planning (CD&P) and the Prosecuting Attorney regarding Sam Buck's vesting proposal. Council members are requested to give their questions to Mr. Peterson for the General Government Subcommittee's review.

**Additional Updates & Discussion Items:** none

**10:48 AM BREAK**

**10:50 AM** Gene Knapp joined the meeting via telephone. Ms. Pratt recused herself and left the Hearing Room.

**Moved by Mr. Rosenfeld, seconded by Mr. Peterson, to approve the Consent Agenda of December 14, 2010. VOTE: 4-0 (Myhr absent, Pratt recused) MOTION CARRIED**

**10:51 AM PUBLIC HEARING:**

Amend Six Year Transportation Improvement Program for 2011-2016  
Jon Van Lund, County Engineer  
**Present:** Five Council (Myhr absent), Deputy County Administrator David Kelly, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Mr. Van Lund explained the amendment proposed for the Six Year Transportation Improvement Program for 2011-2016, and answered questions from the Council.

Mr. Fralick opened for public testimony, and comments were offered by Patty Miller. 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 the Resolution approving the Revised Six-Year Transportation Improvement Program for 2011 to 2016. VOTE: 5-0 (Myhr absent), MOTION CARRIED**

After the public hearing, it was agreed that Gene Knapp would rejoin the Council meeting at approximately 2:00 pm for continued Council discussions.

**11:08 AM DISCUSSION:** Redistricting Process – Auditor Milene Henley

Mr. Knapp was excused from the meeting and will re-join at 2:15 pm.

Ms. Henley gave a PowerPoint presentation on the redistricting process.

**11:30 AM DISCUSSION:** Changes to the Lodging Tax Reserves – Auditor Milene Henley

Ms. Henley proposed an Ordinance to increase Lodging Tax Reserves.

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to schedule a public hearing for January 4, 2011, 10:45 am, to consider an Ordinance Increasing Required Reserves in the Lodging Tax Funds. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

Mr. Rosenfeld proposed that San Juan County become members of the three Chambers of Commerce. The idea will be placed on the Lodging Tax Advisory Committee's next agenda (February 23, 2011).

**11:45 PM RECESS FOR LUNCH**

**1:00 PM RECONVENE**

Mr. Rosenfeld introduced a letter to Nancy Sutley, Chair for the Council on Environmental Quality, in support of Clean Water Act protections. After discussion, the following action took place:

**Moved by Mr. Rosenfeld, seconded by Ms. Pratt, to approve a letter to Chair Nancy Sutley, Council on Environmental Quality, supporting clean water protections. VOTE: 2-2 (Myhr and Knapp absent) (Peterson and Fralick opposed), MOTION NOT CARRIED**

It was agreed that Mr. Rosenfeld and Ms. Pratt would sign the letter.

**1:05 PM COUNTY ADMINISTRATOR ITEMS:** Deputy County Administrator David Kelly

1. Odlin South Letter of Intent – Land Bank Director Lincoln Bormann

Lincoln Bormann introduced the amended Letter of Intent for Odlin South Trust Land Transfer Lease. After discussion, the following action took place:

**Moved by Ms. Pratt, seconded by Mr. Peterson, to approve the First Amendment to the Letter of Intent on the Odlin South Trust Land Transfer. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

2. Adoption of 2011 Staffing, Pay and Benefits Plan and Public Works Organization Chart Resolution – Human Resource Manager Pamela Morais

Ms. Morais introduced resolution.

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to approve a Resolution Adopting County Staffing Levels for 2011, the 2011 Public Works Organization Chart, the 2011 Pay Plan as approved in Collective Bargaining Agreements, the 2011 Pay Plan for Unrepresented and Management Employees, and the 2011 Health Benefit Levels for Full Time and Part Time Employee Groups. VOTE 4-0 (Myhr and Knapp absent), MOTION CARRIED .**

3. Introduction of Council Duties for Charter Review Commission Election  
Deputy County Administrator David Kelly

After discussion, the following action took place:

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to place a Resolution calling for the Election of a Charter Review Commission to be held on November 8, 2011 on the agenda of January 4, 2011, with the Resolution to set the number of Commissioners at (18) Members equally apportioned by Legislative Body District. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

**1:21 PM RECESS**

**1:45 PM**            **DISCUSSION:** Acceptance of Sheriff Guild Labor Agreement – Deputy County Administrator David Kelly

Mr. Kelly introduced the Collective Bargaining Agreement between the Sheriff's Guild and San Juan County.

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to approve the 2011-2012 Collective Bargaining Agreement (CBA) between the Sheriff's Guild and San Juan County. VOTE: 4-0 (Myhr and Knapp absent), MOTION CARRIED**

**1:52 PM**            **RECESS**

**2:00 PM**            **DISCUSSION:** An Ordinance Creating a Fee Ordinance for Services Provided by the San Juan County Sheriff's Office (1<sup>st</sup> Touch) – Sheriff Bill Cumming

This will be brought forward to Public Hearing on January 11, 2011, at 10:45 am.

**2:04 PM**            **DISCUSSION:** Solid Waste Interfund Loan – Auditor Milene Henley

Mr. Knapp rejoined the meeting at 2:05 pm via telephone.

Ms. Henley reported that the Solid Waste program will require additional funding.

**2:15 PM**            **DISCUSSION:** Solid Waste Program Request for Proposal (RFP) and Privatization – Public Works Director Jon Shannon

Ms. Pratt requested that Council-Elect members Patty Miller and Jamie Stephens be invited to join the discussion.

After discussion, the following action took place:

**Moved by Mr. Peterson, seconded by Mr. Rosenfeld, that the County Council form a subcommittee with representatives from each island for the purpose of discussing solid waste. VOTE: 5-0 (Myhr absent), MOTION CARRIED**

**Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to appoint Rich Peterson to the Solid Waste Subcommittee. VOTE 5-0 (Myhr absent), MOTION CARRIED**

**Moved by Mr. Rosenfeld, seconded by Ms. Pratt, that staff expand the August 10, 2010 Staff Report of Cost Per ton of MSW chart to include a more detailed look at the listed categories, starting with administration. VOTE 4-1 (Myhr absent, Fralick opposed), MOTION CARRIED**

**3:00 PM**            **EXECUTIVE SESSION:** To discuss pending litigation pursuant to RCW 42.30.110(1)(i) – Deputy Prosecuting Attorney Karen Vedder

At 3:25 Council Chair Fralick announced that the Council would be holding an **executive session** to discuss **current and pending litigation pursuant to RCW 42.30.110(1)(i)** – Present: Council (Myhr and Knapp absent), Deputy Prosecuting Attorney Karen Vedder, Attorney Pat Buchanan, Deputy County Administrator David Kelly, Human Resources Manager Pamela Morais, and Clerk to the Council Ingrid Gabriel. It was announced that the session would take 20 minutes. The session ended at 4:05 for a total executive session time of 40 minutes.

**No Action was taken.**

Ms. Gabriel stepped out of the hearing room to announce that the executive session had ended. At 4:06 Mr. Fralick announced that the meeting was back in regular session and adjourned.

**4:06 PM                    ADJOURN AND SIGN DOCUMENTATION**

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**COUNTY COUNCIL  
SAN JUAN COUNTY, WASHINGTON**

**These Minutes were approved and signed on January 4, 2011. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.**