

MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
TUESDAY, MARCH 8, 2016

Legislative Hearing Room, 55 Second Street, Friday Harbor, WA

09:00 AM CALL TO ORDER & FLAG SALUTE

Council Chair Stephens called the meeting to order at 09:00 AM. Present: Council Members Jamie Stephens, Bob Jarman and Rick Hughes, County Manager Mike Thomas, Clerk to the Council Ingrid Gabriel and interested members of the public.

New Employee Introductions:

Community Development Director Erika Shook introduced Michael Kolakowski, Building Inspector III, Department Community Planning.

Juvenile Court Director Linnea Anderson introduced Melanie Kaegi, Juvenile Probation Counselor, Juvenile Court.

Human Resource Manager Pamela Morais introduced Bonnie Cap, Human Resources Specialist.

Natural Resources Division Director Sam Gibboney introduced Marta Green, Puget Sound Recovery Coordinator and Arnie Klaus, Chair Marine Resources Committee.

Approval of Minutes:

MOVED by Mr. Jarman, seconded by Mr. Hughes to approve the minutes of Monday, January 25, 2016 as written. ALL AYES; MOTION CARRIED.

MOVED by Mr. Jarman, seconded by Mr. Hughes to approve the minutes of Monday, February 1, 2016 as written. ALL AYES; MOTION CARRIED.

MOVED by Mr. Jarman, seconded by Mr. Hughes, to approve the Special Meeting minutes of Friday, February 5, 2016 as amended to change Line 29 to "VOTE: 2:1:0 (Jarman opposed)." ALL AYES; MOTION CARRIED.

MOVED by Mr. Jarman, seconded by Mr. Hughes to approve the minutes of Monday, February 8, 2016 as written. ALL AYES; MOTION CARRIED.

MOVED by Mr. Jarman, seconded by Mr. Hughes to approve the minutes of Tuesday, February 9, 2016 as written. ALL AYES; MOTION CARRIED.

MOVED by Mr. Jarman, seconded by Mr. Hughes to approve the minutes of the Special meeting of Wednesday, February 24, 2016 as written. ALL AYES; MOTION CARRIED.

Approval of Consent Agenda:

MOVED by Mr. Hughes, seconded by Mr. Jarman to approve the Consent Agenda of Tuesday, March 8, 2016:

A. Budget Items:

The Auditor's office requests approval for the following warrants issued the week of February 1, 2016:

- Warrant #165807 – 165809 Vet Assist claims in the amount of \$675.00
- Warrant #165837 – 165838 Vet Assist claims in the amount of \$500.00
- Warrant #165840 Public Works claims in the amount of \$631.12
- Warrant #165845 – 165847 Vet Assist claims in the amount of \$1,411.61
- Warrant #165871 – 165962 County claims in the amount of \$122,800.46
Plus use tax in the amount of \$62.83 for total expenditures of \$122,863.29
- Warrant #165963 – 165987 Public Works claims in the amount of \$35,940.19
- Warrant #165988 Public Works claims in the amount of \$6,612.85

The Auditor's office requests approval for the following warrants issued the week of February 8, 2016:

- Parks EFT in the amount of \$1,885.66
- Warrant #166005 County claims in the amount of \$1,200.00
- Warrant #166007 – 166036 Public Works claims in the amount of \$23,185.87
- Warrant #166037 – 166153 County claims in the amount of \$203,783.07
Plus use tax in the amount of \$299.94 for total expenditures of \$204,002.55

The Auditor's office requests approval for the following warrants issued the week of February 15, 2016:

- Warrant #166352 Public Works claims of \$90.06
- Warrant #166353 – 166356 Public Works cc claims of \$8,375.34
- Warrant #166357 – 166378 Public Works claims of \$22,559.94
- Warrant #166381 – 166451 County claims in the amount of \$111,166.49

The Auditor's office requests approval for the following warrants issued the week of February 22, 2016:

- Warrant #166452 County claims in the amount of \$5,569.00
- Warrant #166606 – 166608 Vet Assist claims in the amount of \$750.00
- Warrant #166634 – 166713 County claims in the amount of \$180,918.62
- Warrant #166769 – 166784 Public Works claims in the amount of \$39,606.85
- Warrant #166859 County claims in the amount of \$50.92
- Warrant #166860 Vet Assist claims in the amount of \$64.71

The Auditor's office requests approval of payroll expenditures and associated benefit expenditures for the pay period ending January 22, 2016:

PAYROLL GROSS; \$ 1,212,818.01
EMPLOYER BENEFITS: \$ 416,444.29

B. Contracts & Agreements: 2016 Publishing Contract – Jon Cain, Deputy Prosecuting Attorney

ALL AYES; MOTION CARRIED.

Citizens Access: The following citizen offered comments: Dave Zygocki.

09:24 AM PUBLIC HEARINGS: To Consider a Resolution Determining whether Property Held by the San Juan County Land Bank and the San Juan Preservation Trust should be Sold by Direct Sale; or Public Sale by Oral or Sealed Bid as Provided in SJCC 2.104 – Lincoln Bormann, Director Land Bank
Present: Full Council, County Manager Mike Thomas, Deputy Prosecutor Jon Cain Clerk to the Council Ingrid Gabriel

Chair Stephens opened the public hearing to consider the Ordinance. Mr. Bormann and Mr. Cain presented the Ordinance and answered Council's questions.

Chair Stephens opened public testimony. The following citizens offered testimony: none.

Chair Stephens closed public testimony with the right to reopen. After discussion, the Council took the following action:

MOVED by Mr. Jarman, seconded by Mr. Hughes to move forward with the sale of October Farm through a direct sale. ALL AYES; MOTION CARRIED.

09:37 AM ACTION: Lodging Tax Requests by WA Parks & Rec Commission and San Juan Islands Museum of Art – Council

Mr. Hughes presented the Requests and answered Council's questions. After discussion, the Council took the following action:

MOVED by Mr. Hughes, seconded by Mr. Jarman to allocate out-of-cycle Lodging Tax funding for requests from Washington State Parks and the San Juan Island Museum of Arts. VOTE: 2:1:0 (Jarman opposed); MOTION CARRIED.

10:05 AM ACTION: Interlocal Agreement between San Juan County Sheriff and Emergency Management Services – Mike Thomas, County Manager

Mr. Thomas presented the Agreement and answered Council's questions. After discussion, the Council took the following action:

MOVED by Mr. Jarman, seconded by Mr. Hughes to enter into the Interlocal Agreement between San Juan County and Emergency Management Services providing for the joint operation of a public safety boat. ALL AYES; MOTION CARRIED.

10:16 AM PRESENTATION: Update on Particularly Sensitive Sea Areas – Stephanie Buffum, Executive Director Friends of the San Juan Islands

Ms. Buffum presented the Update and answered Council’s questions.

11:02 AM COUNCIL MEMBER & COUNTY MANAGER UPDATES

Mr. Hughes: Reported on various issues with Washington State Ferries and that the Ferry Advisory Committee (FAC) is working with WSF to enable them to communicate more effectively with patrons; surveying and site work has begun on Prune Alley in Eastsound; scheduled a meeting for April 1st with Border Customs and Patrol, the Port of Friday Harbor and Mr. Hughes regarding flights between the Port of Friday Harbor and Canada; will accept invitation to join the steering committee of the Farmhouse Gang (Regional Transportation Authority).

Mr. Jarman: Reported on attending a recent Town of Friday Harbor Council meeting and items of mutual interest (connector road project, “Growler” jet noise issues, letter of thanks or certificate of appreciation to the Commander of Naval Air Station Whidbey Island for their search and rescue efforts in the Islands, storm water process, etc).

Mr. Stephens: Reported on a recent meeting with the Northsound Regional Mental Health and state funding; reported that Municipal Research Services Center (MRSC) funding may be eliminated in the new state budget; reported on his recent visit to Washington, D.C. with the Puget Sound Partnership and the prospect of funding for the Sound similar to Chesapeake Bay and the Great Lakes; also reported on the status of the Navy’s response to jet noise complaints originating from Naval Air Station Whidbey Island.

Mr. Thomas (County Manager): Thanked Staff for meeting with neighbors regarding improvements on Dolphin Bay Road, Orcas Island; discussed agreements on burn permit fees; reported that implementation of the new County website is progressing well; is planning a training session including Planning Staff, Health Staff, the Army Corps of Engineers, Department of Natural Resources, Department of Fish & Wildlife and the Department of Ecology; the McKay Harbor Road relocation process is moving forward; reported on a high number of public records requests.

Ms. Gabriel (Clerk to the Council): Advisory Committee Appointments/ Reappointments

MOVED by Mr. Jarman, seconded by Mr. Hughes to reappoint Ken Crawbuck to the Solid Waste Advisory Committee. ALL AYES; MOTION CARRIED

MOVED by Mr. Stephens, seconded by Mr. Jarman to reappoint Chuck McCarty to the Open Space Advisory Team. ALL AYES; MOTION CARRIED

MOVED by Mr. Jarman, seconded by Mr. Hughes to appoint Ingrid Gabriel to the Housing Bank Committee for Position 1. ALL AYES; MOTION CARRIED.

MOVED by Mr. Jarman, seconded by Mr. Hughes to appoint Sherm Losee to the Housing Bank Commission for Position 6. ALL AYES; MOTION CARRIED.

11:36 AM EXECUTIVE SESSION: Evaluation of the Performance of a Public Employee – Council
Present: Full Council, County Manager Mike Thomas, Natural Resources Division Manager Sam Gibboney, Clerk to the Council Ingrid Gabriel

At 11:35 AM, Council Chair Stevens 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 25 minutes.

The session ended at 12:25 PM for a total executive session time of 50 minutes.

Ms. Gabriel stepped out of the hearing room and announced that the executive session had ended.

No Action was taken.

Mr. Stephens reconvened the regular meeting and announce a recess.

12:24 PM RECESS

01:17 PM PUBLIC HEARINGS CONTINUED: (Council deliberations continued from February 22): An Ordinance Repealing Chapter 18.50 SJCC and Official Land Use and Shoreline Maps; Adopting New Shoreline Master Program Regulations, Official Land Use and Shoreline Maps, and a Shoreline Restoration Plan; and Amending Section B, Element 3 of the Comprehensive Plan and Chapters 18.20, 18.60 and 18.80 SJCC – Erika Shook, Director Community Development; Linda Kuller, Planning Manager; Colin Maycock, Senior Planner
Present: Full Council, County Manager Mike Thomas, Deputy Prosecutor Amy Vira and Clerk to the Council Ingrid Gabriel

Chair Stephens opened the continued public hearing to deliberate on revisions to the draft Ordinance.

Ms. Kuller and Mr. Maycock presented sections of the draft Ordinance and answered Council's questions.

- 1. MOVED by Mr. Jarman, seconded by Mr. Hughes to add on page 28 under "Essential Public Facilities, line 12 "... telecommunications;" services [Goals & Policies section]. ALL AYES; MOTION CARRIED.**
- 2. MOVED by Mr. Hughes, seconded by Mr. Jarman to add on page 25, a new line 4 under "Goals for Aquaculture" under Goals: that says "to ensure the continuation of aquaculture within the shoreline jurisdiction." [Goals & Policies section]. ALL AYES; MOTION CARRIED.**

3. **MOVED** by Mr. Jarman, seconded by Mr. Hughes to accept the language provided by staff on page 93, line 11 to be added “Accessory dwelling units must comply with SJCC 18.40.240. [draft Ordinance]. **ALL AYES; MOTION CARRIED.**
4. **MOVED** by Mr. Hughes, seconded by Mr. Stephens to add on page 93, “Live Aboard Vessels”:
 - section E-2, line 17 the words “Marinas located on state tidelands...”;
 - section E-2, line 20 between “slips” and “used” the words “may be”;
 - section E-3, line 22 after “wastes...”, “...consistent with local, state and federal laws and do not follow best management practices are allowed to use ten percent (10%) of the total number of slips for live-aboard vessels.” **ALL AYES; MOTION CARRIED.**
5. **MOVED** by Mr. Hughes, seconded by Mr. Stephens on page 119, line 6 to add “or stream” after “lake.” [draft Ordinance]. **ALL AYES; MOTION CARRIED.**
6. **MOVED** by Mr. Hughes, seconded by Mr. Jarman to un-strike on page 129, Section 71, line 6 “Height of Building” the definition shown for height of building. [draft Ordinance]. **ALL AYES; MOTION CARRIED.**
7. **MOVED** by Mr. Hughes, seconded by Mr. Stephens to add on page 131, line 36, “Live Aboard Vessels”:
 - after “..systems.” “It is capable of travel...”;
 - after “...general.” “It has permanent equipment for water travel, ...” [draft Ordinance]. **ALL AYES; MOTION CARRIED.**
8. **MOVED** by Mr. Hughes, seconded by Mr. Stephens to add on page 151, Section 82, line 20 under “Publication of Notice of Adoption” the following words after the colon “A notice of adoption of this ordinance will be published pursuant to RCW 36.70A.290(7) promptly after its approval by the Washington Department of Ecology.” [draft Ordinance] **ALL AYES; MOTION CARRIED.**
9. **MOVED** by Mr. Hughes, seconded by Mr. Stephens to add on page 151, line 29, new #3, “Section 5, sub-section B, move the second sentence that reads, “Nonconforming uses or structures may be relocated on the same parcel.” To a new sub-section C and reletter the rest of the section accordingly.” [draft Ordinance] **ALL AYES; MOTION CARRIED.**
10. **MOVED** by Mr. Hughes, seconded by Mr. Stephens to add on page 151, line 32, new #4, “Section 39 shall be codified in Section 33 as item Q.”; and add on line 34, #6 the word “phrase” after “where the...” and before the word “effective.” [draft Ordinance] **ALL AYES; MOTION CARRIED.**
11. **MOVED** by Mr. Stephens, seconded by Mr. Hughes to reinstate in the Appendix for the Restoration Plan, Table A for Restored Tidal Circulation in Fisherman Bay, Fish Bay Bridge without a project sponsor. [Restoration Plan] **ALL AYES; MOTION CARRIED.**

12. MOVED by Mr. Hughes, seconded by Mr. Stephens to add on page 103, line 38, new #5 under New Section 66-A under “Shoreline developments, uses, structures and activities by designation.” “Is subject to other certificates or conditions.” [draft Ordinance] ALL AYES; MOTION CARRIED.

13. MOVED by Mr. Hughes, seconded by Mr. Jarman to rename the Ordinance “An Ordinance Repealing Chapter 18.5010 – 18.50.390 SJCC and Official Land Use and Shoreline Maps; Adopting New Shoreline Master Program Regulations, Official Land Use and Shoreline Maps, and a Shoreline Restoration Plan; and Amending Section B, Element 3 of the Comprehensive Plan and Chapters 18.20, 18.60 and 18.80 SJCC.” ALL AYES; MOTION CARRIED.

Council will look at “Findings” on Tuesday, March 15 and reopen public testimony on Tuesday, March 29.

Mr. Stephens continued the public hearing to Tuesday, March 15 at 9:15 AM.

02:53 PM DISCUSSION: Regulations re: Installation of Communication Poles/Towers – Erika Shook, Director Community Development

Ms. Shook answered Council’s questions regarding building code permitting requirements for joint-use communication poles and tower installations.

03:10 PM ADJOURN

Mr. Stephens adjourned the meeting.

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on March 15, 2016. The original document is retained in the Council’s permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.