

**SAN JUAN COUNTY (SJC), WASHINGTON
SPECIAL MEETING MINUTES – EARLY START
COUNTY COUNCIL
April 24, 2012**

Tuesday, April 24, 2012 – Legislative Hearing Room, Friday Harbor, WA

9:02 AM **DISCUSSION:** Broadband/Emergency Services/Wireless review of Proposed legal changes to the hearing draft (2nd Touch)
Randall Gaylord, Prosecuting Attorney

Mr. Gaylord introduced changes he made to the draft ordinance and answered questions from the Council.

Moved by Mr. Peterson, seconded by Mr. Stephens, to move the Ordinance as amended to public hearing on Tuesday, May 22, 2012 at 10:15 am. ALL AYES, MOTION CARRIED

10:37 AM **CALL TO ORDER**

Excused Absences:

Moved by Mr. Fralick, seconded by Mr. Stephens, to excuse Ms. Pratt from the afternoon portion of today's meeting. ALL AYES, MOTION CARRIED

New Employee Introductions: none

Approval of Minutes (April 17, 2012):

Moved by Ms. Pratt, seconded by Mr. Stephens, to approve the Minutes of April 17, 2012 as amended. ALL (Rosenfeld abstained) AYES, MOTION CARRIED

Approval of Consent Agenda for April 24, 2012:

A. Resolutions:

Ordinances:

B. Contracts/Agreements :

C. Budget Items:

The Auditor's office requests approval of the following expenditures:

- Warrants #109267-109389 in the amount of \$163,255.55 for County Claims
- Warrant #109024 in the amount of \$519 for Veteran's Assistance
- Warrant #108992 in the amount of \$95.78 for Veteran's Assistance
- Warrants #109431-109435 in the amount of \$947.51 for Veteran's Assistance
- EFT #04122012 in the amount of \$230,157.30 for Land Bank EFT
- EFT #04112012 in the amount of \$1,848.22 for Parks EFT
- Warrants #109390-109430 in the amount of \$34,526.72 for Public Works Claims

D. Personnel:

E. Appointments

F. Correspondence:

G. Miscellaneous:

Proclamation making May of 2012 Community Action Month

H. Bid Openings:

Moved by Mr. Fralick, seconded by Mr. Stephens, to approve the Consent Agenda of April 24, 2012. ALL AYES, MOTION CARRIED

Approval of Correspondence:

Brief discussion followed on a letter to the Naval Facilities Engineering Command of the Northwest regarding the effects of naval training activities on orcas in San Juan County. Mr. Rosenfeld will contact Seadoc and the Marine Resources Committee regarding the letter.

Citizens Access: The following citizens offered comments: Janet Alderton

10:15 AM COUNTY ADMINISTRATOR ITEMS

1. Washington Wildlife and Recreation Program (WWRP) Resolution
Re: water access grant application to acquire Buckhorn Road Beach
(Hardman parcel) – Lincoln Bormann, Director Land Bank

Mr. Bormann recapped his request for approval of a Resolution for a water access grant application to acquire the Buckhorn Road Beach, Hardman parcel.

Moved by Mr. Fralick, seconded by Mr. Stephens, to approve a Resolution authorizing San Juan County Land Bank Applications for grant funding assistance for a Washington Wildlife and Recreation Program (WWRP) Project to the Recreation Office (RCO) as provided in Chapter 79A.15 RCW, acquisition of habitat conservatation and outdoor recreation lands, WAC 286, and subsequent legislative action. ALL AYES, MOTION CARRIED

2. Finalize Solid Waste Management Plan – Elizabeth Anderson,
Solid Waste Planner; Ed Hale, Utilities Manager

Ms. Anderson reviewed the changes to the Solid and Hazardous Waste Management Plan. After discussion, the following action took place:

Moved by Ms. Pratt, seconded by Mr. Rosenfeld, to add the language from the memo of April 22, 2012 “Should conditions change to make the County’s participation in solid waste more economically attractive or for some reason necessary, the County reserves the right in this Plan to re-implement current system services on one or more of the islands.” VOTE: 4-2 (Miller and Fralick opposed)

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to accept the language in the memo of April 22 on Objective 3, Strategy 4 on page 88. ALL AYES, MOTION CARRIED

Moved by Mr. Stephens, seconded by Mr. Peterson, to submit the Solid and Hazardous Waste Management Draft Plan to the Department of Ecology for approval. ALL AYES, MOTION CARRIED

3. Semi-Annual Permitting Review and Semi-Annual Code Enforcement

Review – Rene Beliveau, Director Community Development & Planning
(CD&P)

Mr. Beliveau, with Code Enforcement Officer Chris Laws, reviewed CD&P's code enforcement procedures and answered questions from the Council..

12:16 PM RECESS FOR LUNCH

1:16 PM COUNTY ADMINISTRATOR ITEMS (continued):

4. 2012 Budget Emergency and Supplemental Appropriations (2nd Touch)
Milene Henley, Auditor

Ms. Henley described the proposal for supplemental and emergency budget appropriations to the 2012 County budget. After discussion, the following action took place:

Moved by Mr. Fralick, seconded by Mr. Peterson, to direct the Auditor to prepare budget amendment ordinances adopting the changes recommended in the report and set a public hearing on May 8, 2012, at 10:15 am. ALL AYES, MOTION CARRIED

5. Community Wildfire Protection Plan (CWPP) – Steve Marler, County Fire District Chief;

Chief Marler, joined by Terra King of Northwest Management, explained the Community Wildfire Protection Plan and the funding mechanisms for such a plan. The Bureau of Land Management (BLM) began the process of developing a wildland fire risk assessment for San Juan County. The BLM's contractor has agreed to follow the nationally accepted practice for the development of a CWPP that will be countywide.

Ms. King introduced this as a first touch, and explained that a CWPP will assist San Juan County and its partners in seeking funding opportunities for wildfire prevention and mitigation projects. The CWPP requires a formal adoption by the County Council. There will be presentations to all ferry-served islands in May.

1:30 PM DISCUSSION: San Juan Island Solid Waste Site Strategy – Frank Mulcahy, Director Public Works; Ed Hale, Utilities Manager

King Fitch, Administrator for Town of Friday Harbor, reported that the Town's solid waste management plan is not in sync with the County's plan. It will likely be September before a plan is completed, pending public participation.

Moved by Mr. Peterson, seconded by Ms. Pratt, to direct staff to move forward with an Request for Proposal (RFP) for San Juan Island solid waste transfer station on the County owned property on Sutton Rd.. ALL AYES, MOTION CARRIED

The Council agreed by consensus that a workshop between Town and County would provide appropriate suggestions for the future of the Town property currently leased by the County.

Discussion followed on the inevitability of changes for solid waste customers using the County operated Sutton Road site. An RFP will offer more possibilities, and there is some chance that the Department of Ecology might extend the contract a short time.

2:52 PM **DISCUSSION:** Public Safety Sales Tax Ordinance (2nd Touch) –
Rich Peterson, Council Member; Howie Rosenfeld, Council Member

Mr. Peterson led discussion on the sales tax of three-tenths of one percent on transactions for public safety purposes. A new list of uses of the public safety sales tax revenues was reviewed. Mr. Fitch, Town of Friday Harbor Administrator, reported that the Town Council will be discussing the proposed sales tax on April 26. Katie Loring, member of the Law & Justice Council, expressed concern that the Council's suggestions for changing the uses in the ballot measure does not reflect the recommendations of the L&J Council. Judge Andrew and Sheriff Nou offered suggestions to the Council.

Auditor Milene Henley assisted the Council in amending the current draft ordinance to include the following on page 1, #H, "The Council for the Town of Friday Harbor has discussed this measure and supports it for the Town's purposes, which are to provide funding for criminal justice and fire protection services, parking enforcement, and [other purposes]."

Ms. Henley also assisted in providing the following ballot language:

COUNTY OF SAN JUAN
PROPOSITION NO. 1

The San Juan County Council adopted Ordinance No. -2012 concerning the imposition of a sales and use tax for criminal justice and public safety purposes. This proposition would increase the sales tax in San Juan County by three-tenths of one percent (.003), for use by the County for the purpose of protecting existing criminal justice and public safety programs; and for use by the Town of Friday Harbor for purposes of criminal justice and public safety programs, parking enforcement, and [other purposes].

[The above paragraph was developed in Chambers; it is 82 words, so I reduced it to 75 words as below:]

The San Juan County Council adopted Ordinance No. -2012 concerning the imposition of a sales and use tax for criminal justice and public safety purposes. This proposition would increase the sales tax in San Juan County by three-tenths of one percent for use by the County for protecting existing criminal justice and public safety programs; and for use by the Town of Friday Harbor for purposes of criminal justice, public safety, and public works programs.

Ms. Pratt left the meeting at approximately 3:35 pm.

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to send an Ordinance providing for the submission to the voters of San Juan County a Proposition Authorizing an additional Sale and Use Tax at the rate of three-tenths of one percent on transactions as described in RCW 82.14.450 to be used for criminal justice, public safety and other

purposes, as amended, to public hearing on May 8, 2012, at 10:15. VOTE: 5-0, MOTION CARRIED

The Council agreed by consensus to request that the Law & Justice Council meet and see if they agree with amendments.

3:59 PM COUNTY ADMINISTRATOR ITEMS (continued)

3. Semi-Annual Permitting Review and Semi-Annual Code Enforcement Review – Rene Beliveau, Director Community Development & Planning (CD&P)

Mr. Beliveau, with Deputy Building Official/Plans Examiner John Genuich, reviewed CD&P's permitting functions distinguished as land use permitting and building permitting.

4:14 PM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:

Ferries/FAC/Intermodal: Mr. Rosenfeld reported that he sent meeting notes from the State Transportation Commission to the Council as well as from the FAC meeting. He received an email announcement that a contract has been signed for the second 144 car ferry. Emails have been circulated regarding the interisland summer schedule for Orcas Island. He reported that the issues are being worked on.

Mr. Rosenfeld reported some of the issues discussed at the State Transportation Commission included the levels of service (level of usage going up while capacity of the ferries remain the same) and the reservation system. Fall ferry scheduling will begin soon so that it can be available in anticipation of the reservation system.

Washington State Ferries will hold their meeting live-streamed in the Council Hearing Room on June 7. Brian Churchwell who is in charge of reservations will be in attendance.

Budget Subcommittee: Mr. Fralick reported the committee is still waiting for a report on the road shift analysis by County Engineer Deitzman and that is expected soon. He also reported that he and the Auditor met with the Prosecuting Attorney in regard to the reserve ordinance policy modifications and is confident that will be coming forth soon. The committee's goal continues to be budget sustainability and they are trying to come up with a measure that is less subjective. The next meeting is not yet set, but the 2013 program budget submission is now scheduled for May 25.

General Government Subcommittee (GGS): Mr. Peterson asked that the Rules of Procedure amendments be placed on a future agenda.

Solid Waste Subcommittee: Ms. Miller reported that there will be a Solid Waste Subcommittee meeting on Monday, April 30 at 8:30 am. She also reported that developing a Lopez Island Solid Waste Disposal District will require additional work including approval of the new district, approval of a budget, and the appointment of a district board, all of which must be completed before qualifying for the ballot measure.

Mr. Stephens reported that there will be a Solid Waste Advisory Committee on Thursday, April 26. Since Mr. Stephens will not be in attendance, SWAC member Pete Moe will be Chair. Mr. Peterson will also attend the meeting.

Mr. Stephens reported on a water workshop held on Lopez which was interesting and well attended.

Additional Updates & Discussion Items:

Mr. Peterson requested that the Council, staff and department heads should be sensitive to a recent report on the San Juan Islander that threats are being made to citizens/employees.

4:40 PM CLERK UPDATE & ADMINISTRATIVE MATTERS:

Ms. Gabriel reminded the Council that the next meeting will be an early start meeting on May 1 . There will be a special meeting/early start on May 7, followed by a early start/regular meeting on May 8.

Ms. See gave a committee report. No appointments were recommended.

Review Agendas:

Ms. Miller reviewed and made changes to future agendas with the Council.

Review Council Calendar Items:

4:49 PM ADJOURNED

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on April 30, 2012. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.