

**SUMMARY OF THE MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
February 4, 5, 2008**

Monday, February 4, 2008 - Council Hearing Room, Legislative Building, FH

CALL TO ORDER – WORKSHOP & COUNCIL/STAFF WORK SESSION

Council Chair Howard Rosenfeld called the staff meeting to order at 10:00 a.m. Council members Kevin Ranker, Rich Peterson, Bob Myhr, Gene Knapp, and Alan Lichter; County Administrator, Pete Rose; Pamela Morais, HR Manager; Maureen See, Council Department Assistant; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present.

Council schedules and agendas were reviewed, as were FAC meeting schedules and membership. The FAC had changed the meeting date, place and there was question about proper advertisement. Ranker noted that a discussion to add a Council Member to the FAC should occur. Lichter reported that there were two open seats on the FAC. Ranker stated that Ed Sutton had invited members of the Council to attend the FAC meeting scheduled for February 13, 2008 to have an open discussion and talk about common goals. Clerk Tuttle handed out information on the Legislative Rally and a draft Resolution for the Veterans' Advisory Board. Ranker suggested the Council decide exactly what the topics of discussion should be for the meetings with Senator Spanel, Representative Quall and Representative Morris at the rally. Myhr stated that Public Works is holding a public meeting on Thursday, February 21, 2008 to discuss and receive public comment on the Fisherman Bay Road design and right-of-way. Clerk Tuttle was asked by Public Works to schedule a public hearing on Tuesday, February 26, 2008 at 11:00 a.m. to discuss the issue and Myhr asked to hold off scheduling until he had a chance to speak with Jon Shannon, Director of Public Works. The Council discussed the retreat scheduled for February 25, 2008 and Lichter asked if the retreat could start an hour earlier. A draft proposed agenda for the retreat was discussed and Myhr stated a round-table with several organizations was inappropriate. Pamela Morais, HR Manager, discussed facilitating the retreat and asked the Council to come to a consensus of what goals are to be discussed and what outcome was desired. Pete Rose stated that the 25 year vision should be the major thought for the retreat. Mr. Rose discussed Smart Growth and that Land Use would be the major component. The Council discussed ferry issues and discussed what specifics to bring to the Legislators at the rally. Peterson discussed the draft Stormwater Ordinance submitted to the PA and suggested the sub-committee visit Orcas, Lopez and San Juan to receive public input and make changes to the ordinance from those meetings and bring before the Council. The Council discussed ferry alternatives and Ranker noted that one idea was to have a BC ferry run that stops at Friday Harbor and Orcas Island. The Clerk of the Council provided an update on Council office and staff work.

RECESS - At 11:55 a.m., Council Chair Rosenfeld recessed the meeting until 10:00 a.m., Tuesday, February 5, 2008.

Tuesday, February 5, 2008 - Council Hearing Room – Legislative Building, FH

CALL TO ORDER – REGULAR MEETING

Council Chair Howard Rosenfeld called the regular meeting to order at 10:00 a.m. Council members Kevin Ranker, Rich Peterson, Bob Myhr, and Gene Knapp; County Administrator, Pete Rose; Judge, John Linde, Superior Court Judge; Clerk to the Council, Laura Tuttle; Deputy Clerk, Valarie Graham; and interested members of the public were present.

The flag salute was conducted.

EXCUSED ABSENCES

Moved by Ranker, seconded by Myhr, to temporarily excuse the absence of Alan Lichter. (Reason: late ferry arrival) Motion carried unanimously.

NEW EMPLOYEE INTRODUCTIONS

Pete Rose, CA, introduced the new Superior Court Judge, John Linde.

CITIZEN ACCESS TIME

A large group of citizens from Shaw Island individually spoke to the Council about reinstating Alex McLeod to the Ferry Advisory Committee. Every citizen who spoke asked the Council to reinstate Mr. McLeod and added that Alex has been fighting for the citizens of San Juan County because ferry service is the number one concern in the islands at present. With all the ferry problems, there was finally some hope with the FAC and Mr. McLeod, who is well informed, articulate, and assertive in questioning decisions of the WSF. Jerry Molitor stated that Mr. McLeod wasn't the only person who wrote about the ferries. Representative Jeff Morris is blasting WSF in the legislature. The following citizens spoke to the Council: Ingrid Lynch, Kathy Williams, Carole Davis, Ron Woodard, Liz Stedman, Lorelei Molitor, Jerry Molitor, Carolyn Woodard, Kathy Gerard, Alice Nelson, Brian Lynch and Abigail Finney. Keith Gerard submitted a petition titled; We the undersigned request that the San Juan County Council Members reinstate Alex McLeod to the San Juan County Ferry Advisory Committee. It was signed by 101 citizens. Mr. Gerard also stated that the County is at risk of losing 3 members of the FAC and was impressed with the passion of all those who addressed the Council.

ANNOUNCEMENTS/SCHEDULE CHANGES

The posted Council Agenda was revised.

APPROVAL OF MINUTES

Moved by Ranker, seconded by Myhr, to approve the Minutes of **January 28, 29, 2008**. Motion carried unanimously.

CONSENT AGENDA

Moved by Myhr, seconded by Ranker, to approve the **Final Consent Agenda of February 5, 2008** as follows:

The County Council moved to:

A. Resolutions/Ordinances:

1. Resolution 8 - 2008 - To Adopt a Resolution of San Juan County, a Declaration and Resolution on Climate Change.

B. Contracts/Agreements: (No items.)

C. Budget Items: (No items.)

D. Personnel: (No items.)

E. Appointments: (No items.)

F. Correspondence: (No items.)

G. Miscellaneous: (No items.)

H. Bid Openings: (No items.)

Motion carried unanimously.

ACTION AND DISCUSSION ITEMS

ORDINANCES/RESOLUTIONS:

RES. NO. 7-2008- A Resolution To Recommend The Proposed County Roads As Additions To The Proposed San Juan Island Scenic Byway.

RES. NO. 8-2008- A Resolution Of San Juan County Of Declaration And Resolution On Climate Change.
RES. NO. 9-2008- A Resolution To Acquire And Accept The Deed For The Halpenny Property On Orcas Island.

ORD. NO. 6-2008- (Refer to PUBLIC HEARING at 2:15 p.m. for details of action taken.)

PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS:

- 1. Orca Whale Protection Legislation – Oil Spill Issues** - Kevin Ranker noted he will be in Washington, D.C. this week meeting with Senator Cantwell and Representative Norm Dicks to discuss these issues.
- 2. Random custom searches in Anacortes** – Kevin Ranker reported that a ferry from Friday Harbor, not originating in Sidney, B.C. going to Anacortes was subject to a custom search. The entire ferry went through the custom gates in Anacortes. There is justification for this and it is technically legal. Ranker stated he would raise this issue to Senator Cantwell and Representative Dicks, while in Washington, D.C. Ranker also mentioned if this were to get out to visitors and tourists that they could randomly go through customs, what impact that could have to the economy of the islands.
- 3. Passing of Carl Wills** – Chair Rosenfeld noted the passing of a former employee of the County.
- 4. Council Member Rich Peterson Birthday** – Chair Rosenfeld announced that Rich Peterson just celebrated a birthday.
- 5. BLM work at Watmough Bay** – Gene Knapp mentioned a letter received from BLM and said that a letter should be sent by Council responding positively to the work they are performing at Watmough Bay. Bob Myhr noted that BLM is investing funds for improvements to the restroom, parking lot, signage and gate entrance and said he would draft a letter of appreciation to BLM for Council to sign.

DISCUSSION

Review/Adoption of Veterans' Advisory Board Policy and Procedure Manual – Council member, Alan Lichter, reported that the Policy & Procedure Manual for the VAB went to the Board in draft form. The Board made corrections and additions to the manual and it now comes before the Council for adoption. Mr. Lichter stated that the new policies are a departure from the existing system and it is a good start to provide assistance to indigent veterans. The manual is well balanced and humane as well. Peterson suggested a correction to the 150% of poverty guidelines and Milene Henley, Auditor, suggested adding a 5th member to the appeal process, possibly the Chair or Vice-Chair of the Council. After further discussion the following action was taken:

Moved by Myhr, seconded by Ranker, to adopt the Policy and Procedure Manual for the Veterans' Advisory Board (with changes). Motion passed unanimously.

DISCUSSION

San Juan Initiative – Council member Kevin Ranker introduced Joe Ryan, Puget Sound Partnership Director, Jody Kennedy, Washington State Policy Coordinator for the Surfrider Foundation, Jim Kramer, Manager of the project, Jonathan White, Co-Chair on Policy Group, which serves as the Board of Directors, and Ranker noted he was the other Co-Chair. Ranker apologized that Amy Windrope could not attend, due to illness. Ranker noted that the San Juan Initiative was at the half-way point, maybe beyond, and the Council had given a directive to the SJI to find what sort of public and private programs exist with regard to protection of our natural resources and the communities that depend on them, as well as, how to take an ecosystem based management approach to issues. The SJI is also looking at bringing State, Federal and Tribal resource managers together who have a direct impact and also have regulatory authority. Realtors and builders are paying close attention to these issues. The policy group heard from a lot of experts that the best place to focus is the nearshore environment which is the richest habitat for communities and Puget Sound. Substantial work has been done where we can advance the Marine Stewardship Plan in phase 1. Phase 2 is to assess various programs, how to protect the environment in terms of community values and how to use your property. The SJI is finishing work with scientists, assessing current programs and conducting case studies. In the 3rd phase, approximately in the middle of May, we will be

identifying the problems. The 4th phase, approximately in October, a report will be presented to the Council and others and the fundraising we will do is to find solutions. Jim Kramer also noted that considerable effort is focused on upland development which parallels what is happening to the coastal environment and habitats. Mr. Kramer noted that most of the money raised is from outside sources and it is relatively easy to raise the money to protect the environment. Jody Kennedy reported that the Marine Stewardship Plan has progressed and the San Juan Initiative touches on the number one local threat, local development. The Surfrider Foundation looks at the San Juan Islands as a model for other coastal areas. Joe Ryan said the biggest concern protecting salmon and Puget Sound for the Puget Sound Partnership is protecting habitat. Mr. Ryan noted that there are a lot of stresses on habitat because of development growth. Ranker stated he was meeting with Senator Cantwell on Friday and hopes to have the SJI adopted as a model to do natural resource planning. The goal is to culminate recommendations and go back to Federal and State agencies with a report on how to implement these ideas. Rich Peterson asked why Shared Strategies wasn't involved. Ranker reported that Shared Strategies was acting as the fiscal agent and now Surfrider is supplying that role. Bob Myhr asked Ms. Kennedy to provide Board member names and background information and asked if a resolution was needed, recognizing the transfer from Shared Strategies to Surfrider. Ranker responded that he had been working with Karen Vedder, DPA, and this is only a transition and will continue to work with the PA's office to ensure a smooth transition. Ranker also noted that the Governor and the Council will receive a final report in December and there could be a mid-summer update.

DISCUSSION

Senior Services Overview – Joyce Rupp, Community Services Manager, updated the Council on the population of Senior Citizens living in SJC. There are 3,621 seniors that are 60+ and in 2007, the senior service centers had hands on contact with 1,500 seniors. Of those 1,500 seniors, each needed 3 to 4 units of assistance, i.e., be taken to a doctor appointment, fill out a form for them, etc. To help the family stay involved, in-home care giving is encouraged for the family. A little assistance up front keeps things going in the long haul and it costs the State less money. Curt Van Hying joined Community Services as Director of the San Juan Island Senior Center, and informed the Council that every Monday, the senior centers serve lunch and the day before, lunch was served to 95 people and 20 lunches were delivered to homes. Mr. Van Hying explained that every day he fields questions from seniors that include; I lost my wallet and how do I get new cards, can you complete my tax return, I don't want to ride with a friend, it's not safe, etc. Mr. Van Hying admitted he was getting more adept at the work and with the answers. Ms. Rupp reported that in 1991, senior services had 7 staff members and today there are still only 7 staff members. Population has grown and over the next 10 years there will be different types of workloads and they can only spread the staff so thin. Ms. Rupp stated that new vehicles were needed and funds for the long-term operation of the facilities are also needed.

RECESS Chair Rosenfeld recessed the meeting until 1:30 p.m.

1:30 p.m. Pete Rose, CA, informed the Council that the Auditor, Milene Henley, has hired a new employee for the Elections Department. Ms. Henley announced that Victoria Compton has joined the Elections Department in the position vacated by Doris Schaller.

COUNTY ADMINISTRATOR COUNCIL BRIEFING

County Administrator Council Briefing. Also present:

1. Scenic Roads Resolution – Pete Rose informed the Council that there is a recommendation for some areas in SJC to be designated as scenic byways. The purposes would include eligibility for grants, signage, resource protection, safety improvements and economic development. Mr. Rose introduced Deborah Hopkins, San Juan Islands Visitor Bureau Executive Director, to the Council. Ms. Hopkins thanked the Council for past support and informed the Council that an official Resolution from the County Council is needed to drop into the Legislative Bill that hopefully the Legislature will pass this session. The next step if the Resolution is passed, will be for Kerry Sundstrom, State Scenic Byway Coordinator, and Ms. Hopkins to make a presentation to the State Transportation Committee on February 20, 2008. The areas were denoted as an Interim Byway last February because they would like to add the areas to their resources. We were able to apply for a grant and received our first grant for 25K. Mr. Lichter asked how it connects to tourism. Ms. Hopkins responded that it will attract more visitors to the area who want to travel all the scenic byways and Washington State received more grants than any other state (2 Million dollars) and the San Juans are one of the only marine routes besides Alaska in the U.S. Ms. Hopkins feels there is a good chance that they will receive a grant which will be used more for the conservation and

preservation side of things. Mr. Ranker reported that the opportunity with CTED had come up again, to link Clallam, Jefferson and San Juan scenic byways and marine industry as a tourism piece and also as an economic driver for jobs. Mr. Knapp asked how it promotes land conservation. Ms. Hopkins responded that it begins with conserving view-sheds, site enhancement safety along the roads that are chosen as a scenic byway and involves many groups like the Friends of the San Juans, Public Works and many others. After further discussion the following action was taken:

Moved by Peterson, seconded by Ranker, to adopt A Resolution To Recommend The Proposed County Roads As Additions To The Proposed San Juan Island Scenic Byway. Motion carried unanimously.

2. A Resolution To Acquire and Accept the Deed for the Halpenny Property on Orcas Island – Lincoln Bormann, Land Bank Director, informed the Council that he had received a phone call from an attorney regarding someone who passed away and left a piece of property to the Land Bank. He explained that the parcel was sandwiched between two existing land bank properties and it was the key piece that ties them together for 115 acres of preserve. Mr. Bormann stated it was a beautiful piece of property heavily forested with Spruce. After further discussion, the following action was taken:

Moved by Myhr, seconded by Ranker, to adopt the Resolution To Acquire and Accept the Deed for the Halpenny Property on Orcas Island. Motion passed unanimously.

PUBLIC HEARINGS

2:15 p.m. - A public hearing was held to consider An Ordinance Authorizing The Impoundment Of Vehicles For Driving Under The Influence Or Driving With A Suspended Or Revoked License. Present: Full Council, Pete Rose, CA; Valarie Graham, Deputy Clerk; Maureen See, Council Department Assistant; Laura Tuttle, Council Clerk; Randall Gaylord, PA; Bill Cumming, Sheriff; Stan Matthews, Communication Program Manager; and interested members of the public. Randall Gaylord, PA, reported that the Ordinance before the Council exists in many jurisdictions. At the discretion of the police officer, reviewing criminal records and past infractions, the amount of time a vehicle is impounded will vary by the type of crime and type of convictions. Mr. Gaylord also reported that the other aspect deals with the recovery of the vehicle. Only registered owners or person authorized by the registered owner can claim the vehicle. The cost of impound, cost of storage and administration fees must be paid before vehicle is released. Public testimony was opened at 2:43 p.m. and Uzek Susol stated it was a very clear ordinance and to the point. Public testimony was submitted, and closed. After further discussion, deliberations were held and the following action was taken:

Moved by Lichter, seconded by Knapp, to adopt An Ordinance Authorizing The Impoundment Of Vehicles For Driving Under The Influence Or Driving With A Suspended Or Revoked License. Motion carried 5 to 1 with Myhr abstaining.

EXECUTIVE/CLOSED SESSIONS

3:00 p.m. – Council Chair Rosenfeld announced that the Council would be holding an **executive session** estimated to last approximately 45 minutes, to discuss a Public Employee Performance Evaluation pursuant to the provisions of RCW 42.30.110(1)(g). The session ended at 3:48 p.m. for an actual session time of 48 minutes. No action was taken.

ADJOURNMENT - Moved by Lichter, seconded by Peterson, to adjourn the meeting at 3:49 p.m. Motion carried. Council Chair Rosenfeld adjourned the meeting at 3:49 p.m. A Staff Meeting/Work Session was scheduled for Monday, February 11, 2008, and the next regular meeting was scheduled for Tuesday, February 12, 2008.

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

Howard Rosenfeld, Chair

ATTEST: Clerk of the Council

By: _____
Valarie Graham, Deputy Clerk

District 3, Friday Harbor

Gene Knapp, Vice-Chair
District 5, Orcas East

Kevin M. M. Ranker, Member
District 1, San Juan South

Rich Peterson, Member
District 2, San Juan North

Alan Lichter, Member
District 4, Orcas West/Waldron

Bob Myhr, Member
District 6, Lopez/Shaw