

**MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
August 11 and 12, 2008**

Monday, August 11, 2008 - Council Hearing Room, Legislative Building, FH

CALL TO ORDER – REGULAR STAFF MEETING AND WORK SESSION

Council Chair Howard Rosenfeld called the staff meeting to order at 10:04 a.m. Council members Kevin Ranker, Rich Peterson, Gene Knapp, Bob Myhr, and Alan Lichter; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerks, Lisa Brown and Maureen See; and interested members of the public were present.

ANNOUNCEMENTS/SCHEDULE CHANGES

Council Chair Rosenfeld announced that the Work Session would commence first, followed by the Staff Meeting.

COUNCIL MEMBER UPDATES

Mr. Myhr reported on the Coastal Counties Caucus (CCC) meeting he attended. Other topics included expanding the ShoreBank septic repair financing program (as low as 1% interest and the option of attaching the loan as a lien to the property being improved) state-wide, ferry meeting review from July 31, 2008, the stormwater manual, and forest management process. Mr. Rosenfeld stated that another ferry meeting of commissioners and mayors was set for August 27, 2008 from 2-6 p.m. in Edmonds, where a scoping charette for the economic impact study would take place. Discussion took place regarding the economic impact study and whether municipalities and counties should jointly hire a lobbyist to champion ferry issues, but the Council expressed some reluctance due to the necessity of communicating the very specific needs of SJC. Mr. Myhr noted that while CCC members agree that stormwater is a problem, there are other problems that are of greater significance and there was no agreement to create a new manual. Mr. Ranker suggested pursuing the rural stormwater plan, stating that it has good potential and unanimous support from all counties. Mr. Rosenfeld said it should be included in the Legislative Priorities.

WORK SESSION/COUNCIL DISCUSSION

Legislative Priorities – Mr. Rosenfeld asked for input from the Council. Mr. Peterson referenced the 2009 San Juan County Legislative Priorities [Draft 8-4-08] stating that prioritization needed discussion. Mr. Myhr explained his prioritization was listed in order by the far left number. **Format** - Mr. Rosenfeld suggested dividing the priority list with talking points for state, executive, and federal issues; and suggested keeping a list of future issues to influence; including crab harvest rules, basic education, mental health, and the BC sewage problem. Mr. Peterson agreed. Mr. Lichter suggested one list for direct action and one for indirect action. Mr. Ranker suggested each issue be on a separate page for ease of distributing to appropriate officials, with no more than three to four major items, and more specificity to the captions. Mr. Rose concurred, adding that a policy statement be kept on state and federal issues and regulations such as crab harvest rules and BC sewage, so that when the issues surface, a policy statement is available for individual Council Members to speak to the issues with one voice. Mr. Ranker also suggested the idea of listing priorities that will include collaboration with other Counties, such as the septic loan program and stormwater plan. Mr. Rosenfeld suggested including Mitchell Hill, Cattle Point Road, and the Rescue Tug as federal priorities. Mr. Peterson added that the BC sewage problem should also be listed there. **Ferries** – Mr. Ranker asked if the Council was interested in opening up the WAC on Ferries. Mr. Rosenfeld reported that David Moseley had been invited to meet with the Council and Ferry Advisory Committee (FAC) and would see if he and other state officials would attend the Transportation Summit scheduled on San Juan Island on September 17, 2008. **Puget Sound Partnership** - Mr. Lichter questioned the necessity of including the Puget Sound Partnership (PSP) on the list of priorities as it is in good shape with the support of the Governor. Mr. Ranker would prefer to wait for the Governor's Action Agenda to be developed further, adding that SJC doesn't need to lobby for PSP's wellbeing, but should stay active in the development of the Action Agenda, where priorities within that budget line item are distributed, and support full-funding - as some funding will pass through to SJC. **Cattle Point Road Erosion** - Mr. Ranker stressed the importance of prioritizing the Cattle Point Road erosion problem and having a corrective plan in place prior to a major sloughing event, adding that it must remain a priority of the National Park Service (NPS). He stated that he would contact Rick Larsen regarding this and that it needs to be listed as a federal legislative priority for 2009. He added that according to Mr. VanLund, County Engineer, it will require six million dollars to complete. Mr. Rose pointed out that NPS is less than inclined

to promote road projects in their parks and that they had turned the State Environmental Policy Act (SEPA) process over to the County. Council discussion took place regarding this. Mr. Ranker again stressed the importance of keeping the issue before the Senators as a legislative priority, reminding them that we are paying attention to it so it doesn't come down to the only option being rerouting the road through the forest over Mt. Finlayson. **BC Sewage** - With attention being paid to the MRC and preserving species, the County would be remiss in leaving this issue off the list. Mr. Lichter agreed, stating this benign way of keeping pressure on the issue. Mr. Knapp suggested an ad campaign reminding them that "they are putting their poop in their neighbor's yard," encouraging heat from BC citizens if delays to their plan occur. Mr. Myhr suggested publishing a positive spin, thanking them for beginning to address this. Mr. Rosenfeld agreed stating that a letter could be sent to the province and city. Mr. Peterson stated that the MRC had been tasked with keeping attention on this matter and wondered about the Sidney and Vancouver outfall. Mr. Rosenfeld pointed out that the sewer lines all along the Samish peninsula outfall in Victoria. Mr. Ranker suggested inviting an expert here to inform SJC on the conditions. Mr. Lichter suggested the Mayor of Esquimalt, with whom he's been in contact, and Mr. Rosenfeld asked him to arrange this with Ms. Larson. **Capron Funds** – Mr. Rosenfeld suggested heeding the advice of Senators Spanel and Haugen, to leave this issue in the hands of the Governor. Mr. Ranker agreed, unsure however whether it should remain on the legislative priority list. He also stated he would be hearing back from Jill Satran, aide to Governor Gregoire, on this. Mr. Rose suggested considering a defensive strategy keeping ferries in front of the 2-year state budget, to include sobering effects of investments of the nickel and 9.5 cent tax going to the other 38 counties and ferry general fund, and having specific vetting fare information available to protect the remaining Capron Funds. Mr. Ranker requested a detailed analysis from Mr. Rose regarding money being spent in the other 38 counties. **Stormwater** – Mr. Peterson referenced an article in National Association of Counties (NACO) Magazine regarding a coalition of small counties involved in a legal challenge on stormwater regulations. Mr. Ranker explained that what these counties want is a stormwater manual that works in rural settings and the last paragraph is regarding a Kitsap County appeal that 20 counties working on rural stormwater plans had joined. Mr. Rosenfeld asked if SJC should join that coalition. Mr. Knapp was in favor of this. Mr. Ranker said that he would follow up with Josh Brown, who was quoted in the article. Mr. Myhr asked if Staff could provide a statement of what the County is seeking in terms of a stormwater ordinance and regulations. **No Unfunded Mandates** – Mr. Peterson expressed adamantly that this should be on every priority list of the SJCC and Mr. Rose explained that WSAC policy includes no unfunded mandates. Mr. Rose asked what the process would be in developing these priorities in position papers and what would be needed from staff. Mr. Rosenfeld said he would list the priorities in formats to allow developing positions for next week.

Core Initiatives – Mr. Rosenfeld tabled this item to Tuesday, August 12, 2008.

Lobbying – Mr. Ranker asked for feedback from his colleagues on recommendations he suggested in his report. Mr. Rosenfeld was interested in discussing the possibility of having a staff person fill the role. He asked Mr. Rose if funding the recommendation of hiring a lobbyist was even remotely possible, with the costs involved, worrisome budget, and de facto hiring freeze. Mr. Rose advised the Council to identify preferences, make choices, and submit a program request for review in the budget process. Mr. Rosenfeld asked if the Council had interest in pursuing the recommendation. Council discussion took place regarding the recommendations, overlapping issues, and other combinations of efforts, including one sixth Council participation shares. Additional per diem compensation was discussed as was the salary and commitment of Council positions. Mr. Rosenfeld asked for Council input on possible program requests. Mr. Peterson suggested \$20,000. Mr. Lichter stated that with a 50 odd million dollar budget, the Council can't "go on the cheap" for this. Mr. Knapp said \$20,000 was a good start. Mr. Myhr was interested in a benefit analysis, but could go along with the \$20,000. Mr. Ranker felt it would require closer to \$40,000, but could go along with \$20,000 to start. Further Council discussion took place and Mr. Rosenfeld brought back the idea of the \$250 travel per diem to be paid to any Council member traveling for a legislative meeting, with Council approval. Mr. Myhr made a motion to go to the salary commission with Mr. Rosenfeld's recommendation to set aside \$15,000 for the Council to decide on \$250 per diems for travel on a case by case basis. Mr. Lichter seconded the motion. Mr. Knapp felt the figure should be around nine or ten thousand. Mr. Myhr amended his motion to ten thousand dollars and Mr. Lichter withdrew his second. Mr. Knapp then seconded the motion. **The motion failed with Ranker, Peterson, and Lichter opposed. In review, Mr. Knapp stated the Council had consensus on \$20,000, to support a program request for County representation in Olympia and elsewhere.** Mr. Lichter suggested another possible approach being establishing a rate and time-sheeting compensation over 25 hours per week for Council members who go to Olympia. Mr. Ranker stated for clarification that there is consensus of the Council to set aside money for professional staff, with the understanding that \$20,000 will go to cover 121 meetings, and further discussion is needed to determine

feasibility for Council to attend the remaining 35 meetings where an elected official is required. Mr. Rosenfeld concurred stating the Council needed to move on to other business.

CLERK UPDATE

Clerk Larson referenced the budget worksheet for the Council office and provided a review of her suggestions, including a savings in legal publishing by printing action minutes as opposed to the full text. She provided a strike-out version removing items from consideration in the 2009 budget request. Auditor, Milene Henley, specified that departments are not to request more than last year, but could add program requests for other needs and/or ideas. Council discussion followed regarding a hiring freeze, travel, publishing, information services, and the idea of submitting additional funding for travel as a program request. Ms. Larson stated that she is working with David Moseley's assistant to schedule a meeting, which will likely need to be special meeting during a time when he is here for outreach. Mr. Rosenfeld stated that the FAC had requested September 17, 2008, during the Transportation Summit. **Department Assistant See** reported that Peter Risser had applied to the SWAC committee and the Council agreed to Mr. Rosenfeld's suggestion to have this appointment placed on Consent for tomorrow. Ms. See also reminded Mr. Lichter and Mr. Knapp of their EPRC Committee interviews with Ken Katz and Steve Hopkins tomorrow.

COUNCIL MEMBER UPDATES

Eastsound Sewer and Water District (ESWD) Mr. Knapp requested an opinion on a letter from ESWD requesting sewers rather than septic systems in highly developed areas outside the Eastsound UGA. Mr. Rose urged the Council to deal with the adoption of the ESWD plan before addressing the proposal. He added that although it makes sense, a demonstrable health problem would need to be identified through the Department of Ecology. Mr. Myhr reported on a similar situation on Lopez, which in his opinion may require expansion of the UGA, ultimately. Mr. Lichter also commented on the \$10,000 cost being a hardship for residents of OPAL who, through this plan, would be required to hook-up. **Ferry Issues** – Mr. Rosenfeld reported that he and Mr. Peterson would be attending a scoping meeting for the Economic Impact Analysis in Edmonds on September 27th and also for lobbying strategy the first week in September and again in early October to finalize the lobbying strategy. Mr. Myhr reported that the Legislative Steering Committee is also meeting in Seatac on September 3rd, suggesting it may be something Mr. Peterson would be interested in attending as well. Mr. Rose advised the Council to keep in mind that our runs don't look or behave like down-Sound runs and to take every opportunity to educate representatives from the Local Area Review Team and others, working through these issues jointly, to the differences and legitimate issues we have, so any group policy arrived at most meets the needs of SJC and specific or peculiar SJC needs are not left without response. Mr. Peterson said this could easily happen if SJC misses one of these meetings. **Stormwater** – Mr. Rose reported that the Staff Group met last week to review discussion that will need to be covered next Monday regarding regulations. **Charter Completion** – Mr. Knapp asked Ms. Larson if she would put Health and Community Services and the Marine Resource Committee (MRC) on an agenda in September for initial discussion and set a hearing date, or whatever is necessary, after that.

ADMINISTRATOR ITEMS

Warrant Approval – Mr. Rose explained the simplified warrant approval process with the detail in an Eden file in the Council Clerk's office for Council review and approval under consent. **Historical Preservation Grants Program RFP** – Ms. Henley distributed an RFP. Mr. Lichter asked if these deposits of general fund could be used at the discretion of the Council. Ms. Henley said that was correct and that the RFP could be handled by the Clerk next year. She also recommended that all of money deposited up to last year be awarded through the RFP process this year and then on an annual basis beginning next year. She stated the Museums and County Departments and anyone else who meets criteria are able to apply with an application deadline of September 2, 2008. Mr. Rosenfeld asked for Council decision and Mr. Myhr stated he would like to see funding for local historical societies as opposed to the County per se. Ms. Henley pointed out that it would be more difficult for County departments to demonstrate that they meet criteria. **Mr. Rosenfeld asked Ms. Henley to move ahead with distribution of the RFP on Council consensus, with the exception of Mr. Myhr.**

Fair Booth - Mr. Rose reported that Ms. Henley and Mr. Matthews pulled together the SJC booth "SJC, Heart of the Community," based on the derivative of this year's theme, "Heart of the Islands." **Meetings and Events** – Mr. Rose suggested the Lopez meeting be scheduled for September 16, 2008, as all other September meeting contingents from Courthouse departments are scheduled to give presentations. Mr. Rosenfeld reminded the

Council of the Transportation Summit meeting on September 17th, and special meeting of Council on the 18th from 10:15-11:15 with the Transportation Commission in the Legislative Hearing room. Mr. Rose notified the Council that on August 8, 2008, Ron and Sarah Rech appealed, to the Superior Court, a decision of the Shoreline Hearings Board (SHB) to deny a variance to allow a residence on the narrow strip of property on Fisherman's Bay Road on Lopez Island. He also reported that Mr. Cain handled the case before the SHB and will be handling the appeal. Mr. Rose commented on the first outreach meeting for the transfer station Draft Environmental Impact Study (DEIS). He stated that the subjects of traffic vectors, and wetlands showed the most interest from subject matter experts to members of the public and that there were 35 members of the public present at any one given time, with around 70 attending overall.

Mr. Rosenfeld asked if there was interest in writing a letter on behalf of Richard Strathman per his request regarding assignment of parcels by the Assessor causing division between University of Washington Laboratories property and several private landowners. Mr. Myhr stated the Prosecuting Attorney (PA) had sent a letter stating this is a legal issue between the University and the neighbors and would have no objection to sending something to the same effect, adding that we have no objection to how they handle it legally. Mr. Knapp concurred, but suggested having the PA review the letter first. Mr. Peterson suggested adding, "the Council recognizes it has no authority."

ADMINISTRATIVE MATTERS

Council schedules, agendas, and Minutes were reviewed. Mr. Peterson suggested adding more information on the lots to the motion that came from executive session.

RECESS - Moved by Myhr, seconded by Peterson, to adjourn the meeting at 1:44. Motion carried unanimously.

Tuesday, August 12, 2008 - Council Hearing Room – Orcas Center, Eastsound
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CALL TO ORDER

Council Chair Rosenfeld called the meeting to order at 10:00 a.m. Council Members Kevin Ranker, Rich Peterson, Gene Knapp, Bob Myhr, and Alan Lichter; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerks, Lisa Brown and Maureen See; and interested members of the public were present.

The flag salute was conducted.

CITIZEN ACCESS TIME

No matters were brought before the Council.

ANNOUNCEMENTS/SCHEDULE CHANGES

Council Chair Rosenfeld announced that due to advertising an erroneous address for public testimony to be mailed to, for hearings scheduled today, no final decisions would take place at the hearings today. Mr. Rosenfeld announced the correct mailing address to be: San Juan County Council, 350 Court Street #1, Friday Harbor, Washington 98250.

APPROVAL OF MINUTES

Mr. Rosenfeld explained that action Minutes for publishing had been included in the Minutes document before the Council as Section B. Moved by Lichter, seconded by Ranker, to approve the Minutes of **August 4 and 5, 2008**. Motion carried.

CONSENT AGENDA

Moved by Lichter, seconded by Knapp, to approve the **Final Consent Agenda of August 12, 2008** as follows:
A. Resolutions & Ordinances:

1. A Resolution to clear title from the recording of an earlier Resolution for the Fisherman Bay Road Improvement Project, TPN #251433001, Grant.

2. A Resolution regarding Orcas Village Annexation to the Eastsound Sewer and Water District

B. Contracts/Agreements: (No items.)

C. Budget Items:

Approve Warrants: #48750 - 48793 for Public Works claims in the amount of \$28,436.54
#48794 - 48806 for Fair claims in the amount of \$17,818.55
#48807 - 48916 for County claims in the amount of \$68,273.80
#48481 - 48506 for Public Works claims in amount of \$60,065.21
#48507 for a Public Works claim in amount of \$8,609.14
#48533 - 48634 for County claims in the amount of \$100,637.61
#48658 for an Elections claim in the amount of \$1,740.87
#48659 - 48678 for Public Works claims in amount of \$1,299.81

D. Personnel: (No items.)

E. Appointments:

1. A letter appointing Shannon Plummer to the SJC Veterans' Advisory Board, filling an unexpired term. The appointment begins immediately and expires on December 31, 2008.

2. A letter appointing Peter Risser to the SJC Solid Waste Advisory Committee, the term will begin immediately and expire on August 31, 2011.

F. Correspondence: (No items.)

G. Miscellaneous: (No items.)

H. Bid Openings: (No items.)

Motion carried.

ACTION AND DISCUSSION ITEMS

ORDINANCES/RESOLUTIONS:

RES. NO. 65-2008- (Refer to CONSENT AGENDA of August 12, 2008, for details of action taken.)

RES. NO. 66-2008- (Refer to CONSENT AGENDA of August 12, 2008, for details of action taken.)

PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

COUNCIL UPDATES:

1. Mr. Ranker reported on responses he received from Ms. Satran, aide to Governor Gregoire. He stated she is following up with key legislators regarding Capron funds and felt it was something they would take a serious look at. He expressed disappointment in conversations that took place at the Bremerton ferry meeting regarding counties funding the economic impact analyses on their own, stating that in light of this, the State may not be willing to fund them. He added that the Governor is in the final draft stage [of her budget], but would follow up with Ms. Satran. Mr. Rosenfeld explained that this discussion needed to take place in advance of the scoping meeting scheduled for August 22, 2008, and further substantiated this discussion saying that Mr. Moseley said he was interested in being a partner on it. Mr. Rosenfeld said this message needed to get to Ms. Satran as well. Mr. Ranker stated that having minority reports "at odds" would do no good, adding that it would require approximately \$100,000 for an adequate comprehensive study. Mr. Rosenfeld stated there isn't much time before the scoping meeting on August 27th and it will be narrowly focused just to get some data prior to session, which is needed to seek buy-in by the State. Mr. Ranker said he would circle back with Josh Brown, Puget Sound Regional Council Transportation Policy Board, and other key legislators later today, adding that if this Council, along with Skagit, Jefferson, and Island Counties all sent letters saying this is a real priority for us, it might help.

2. Mr. Myhr reported that as a result of a State audit the Assessor has notified property owners in Agriculture Open Space (AOS) designations to report answers to the Assessor questionnaire on farm income. The Assessor does not want to force them out of the designation, rather, to help bring them into compliance. Mr. Myhr discussed this with the Assessor and he is willing to work with property owners to help develop plans that deem the designation acceptable by law, by allowing other local farmers to use the harvest that owners grow, but don't sell per se. It was noted that SJC currently has no Open Space Agricultural Preservation (OSAP) designation but that Tim Clark, working with the ARC and Conservation District, would be happy to work on this plan, which

requires a public benefit rating system, to present to the Council. Mr. Lichter stated that this also works in with the request for no net loss of farmland.

3. Mr. Lichter brought up the subject of publishing Action-Minutes. Mr. Rosenfeld stated that he did receive guidance from Mr. Gaylord, Prosecuting Attorney, that there may be no legal requirement to publish Minutes, but only a requirement to keep them in perpetuity. Council discussion took place and Mr. Myhr stated that it is important that the public is aware that the complete summary of proceedings will still be available on-line, on audio CD, and in the Council office. Mr. Lichter confirmed, however, that no decision for future publishing had been made.

COUNTY ADMINISTRATOR COUNCIL BRIEFING

10:45 a.m. **County Budget Priorities for Council Review** – Mr. Rose opened discussion regarding the County and Council Department Budgets. He reported that the 2008 Core Initiatives are entering the first budget process since they were set earlier in the year. He singled out items requiring direct budget appropriations such as Trails (provided for in the 6 Year Road Plan), Video Conferencing (demonstration scheduled for August 25 to help set the program request), Affordable Housing (dependent on desired accomplishments in 2009), and Lobbying (program request was reviewed yesterday). He added that the rest will take staff or consultant effort to make progress and that it would be useful to hear conversations about long-term vision and highest priorities therein, particularly in a year where funding is challenging in County Current. Council discussion took place and it was identified that implementing Video Conference was a high priority, and that Lobbying needs further discussion. The Council would like to see baseline basic government function identified. Ferries and championing our share of the state budget, staffing at CD&P and PW for permitting and enforcement, stormwater, and GMA compliance were also discussed.

PUBLIC HEARINGS

11:15 a.m. - A public hearing was held to consider an Ordinance adopting the Eastsound Sewer Plan. Present: Full Council; Colin Maycock, Senior Planner; Pete Rose, County Administrator (CA); Randall Gaylord, Prosecuting Attorney; Ann Larson, Clerk to the Council; Lisa Brown, Public Hearings Specialist; Maureen See, Deputy Clerk; and interested members of the public. Mr. Rosenfeld explained that the address published to receive written public comment was wrong and that no decision would be made at hearings heard today and that written public comment would be kept open until next week, noting that the correct address for receiving public comment is 350 Court Street #1, Friday Harbor, Washington 98250. Mr. Maycock presented the Eastsound Sewer District 2003-2023 update of the general sewer plan for adoption in the SJC comp plan, stating that it is an element of Growth Management Act (GMA) compliance and corrects absences in the 2003 submission. He added that the plan meets requirements of the RCW and identified areas that support this. Council discussion took place and Mr. Maycock answered questions from the Council. Public testimony was opened and submitted by six individuals. When no one present wished to present further testimony, Mr. Rosenfeld stated that written public testimony would remain open until August 19, 2008. Mr. Maycock answered questions from the Council. Mr. Myhr commented on the UGA boundary, stating that it is still an issue on Lopez as well. After Council discussion, the following motion took place:

Moved Lichter, seconded by Knapp, to continue the hearing to August 19, 2008, at 11:00 a.m., keeping written public testimony open. The motion carried unanimously.

1:30 p.m. – (commenced at 1:34 due to time constraints.) A public hearing was held to consider an Amendment to the 2008 Annual Road Plan. Present: Full Council; Jon Shannon, Director of Public Works; Pete Rose, County Administrator (CA); Randall Gaylord, Prosecuting Attorney; Ann Larson, Clerk to the Council; Lisa Brown, Public Hearings Specialist; Maureen See, Deputy Clerk; and interested members of the public. Mr. Rosenfeld explained that the address published to receive written public comment was wrong and that no decision would be made at hearings heard today and that written public comment would be kept open until next week, noting that the correct address for receiving public comment is 350 Court Street #1, Friday Harbor, Washington 98250. Mr. Shannon presented his Staff Report and proposed Ordinance for an amendment to the Annual Road Plan in the acquisition of Orcas Landing for public marine access and to improve ferry staging for pedestrians, kayaks, bicycles, etc, as it is adjacent to the ferry terminal. He reminded the Council that all amendments of the Annual Road Plan require unanimous approval of the Council. Mr. Peterson expressed concern regarding budget implications and unprotected winter moorage. Mr. Shannon explained that the Road Fund is solvent and that debt service and

operations and maintenance cost on this project are factored into the model and that redesigning and reconfiguring floats would provide adequate protection for year-round moorage. Mr. Shannon answered more questions from the Council. Public comment was opened, submitted by eleven individuals, who spoke in favor of the proposal. When no one present wished to present further testimony, Mr. Rosenfeld stated that written public testimony would remain open until August 19, 2008. Discussion took place and after reaching preliminary consensus, the following action took place:

Moved by Lichter, seconded by Knapp, to continue the public hearing, keeping written public comments open, to August 19, 2008 at 11:30 a.m. Motion carried unanimously.

2:00 p.m. – (Commenced at 2:17 due to time constraints.) A public hearing was held to consider an Ordinance Adopting the Orcas Village Plan. Present: Full Council; Colin Maycock, Senior Planner; Pete Rose, County Administrator (CA); Randall Gaylord, Prosecuting Attorney; Ann Larson, Clerk to the Council; Lisa Brown, Public Hearings Specialist; Maureen See, Deputy Clerk; and interested members of the public. Mr. Rosenfeld provided cautions about misdirected mail similar to earlier hearings. Mr. Maycock presented his Staff Report for the Orcas Village Plan and reviewed all elements of the Plan. Mr. Rosenfeld opened public testimony and eighteen individuals provided testimony. The majority of these individuals expressed concerns over road safety and parking - stating that the Plan inadequately addressed these issues, building size, and zoning. One individual provided a video, produced in 1997 and 1998, and another, a former SJC planner, who provided alternative Ordinance language. When no one present wished to present further testimony, Mr. Rosenfeld stated that written public testimony would remain open until August 19, 2008. Council discussion followed along with questions for Staff. Mr. Lichter inquired about adopting the plan without the transportation element so that could be addressed more thoroughly. Mr. Ranker suggested that implanting alternative ordinance language provided by Mr. Otis would solve the transportation issue. He asked staff to review the legality of these suggestions and what the plan would gain by adding them. He was in favor of protecting residential clusters in residential areas and after having several questions answered regarding two shoreline lots currently designated residential, he asked that they be changed to commercial and consulted Mr. Gaylord regarding Department of Ecology review and Shoreline Master Plan (SMP) implications. Mr. Gaylord informed the council that the DOE seeks consistency and that SMP review is a legislative matter. Mr. Myhr inquired about traffic implications related to Orcas Hill Road, wanted a request to add to a footnote, made by Mr. Griot, considered, and inquired if Mr. Sutton's comment regarding the effects of the sewer plant needed to be addressed. Mr. Maycock and Mr. Rose spoke to these concerns. Mr. Peterson inquired about the non-conforming use of the Forbes property and Boardwalk Books. Mr. Maycock explained that factors regarding shoreline regulations contributed to the non-conforming status of the property. Mr. Rosenfeld asked for clarification on building heights and residential use in commercial designations. Discussion took place regarding reservation boarding for WSF and building on the WSF parcel. Mr. Maycock explained that by allowing some revenue generating development it may encourage WSF to develop sufficient parking. After Council discussion, the following action took place:

Moved by Myhr, seconded by Knapp, to continue the hearing to 3:00 p.m., on August 19, 2008, keeping written public comments open. Motion carried unanimously.

CITIZEN ACCESS TIME

Mike Krieger – addressed the “taking” issue relative to WSF holding lanes and parking.

Bob Gamble – addressed the Council regarding peak-times related to ferry traffic, indicating this to be mid-day and vastly worse on Sundays.

Patty Pirnack – addressed the Council regarding ferry service and the reservation plan, stating that a study needs to take place.

Bob Gamble – asked the Council to get information on Martha's Vineyard and Nantucket relative to how the WSF reservation system could impact the working class and could be detrimental.

Sharon Kivisto – provided additional information regarding the WSF reservation system under consideration, asking those present to keep an open mind as WSF has said they would work with us and test it first.

ADJOURNMENT

Moved by Lichter, seconded by Ranker, to adjourn the meeting at 5:20 p.m. Motion carried. The next regular meeting was scheduled for Monday, August 18, 2008, to continue on Tuesday, August 19, 2008.

COUNTY COUNCIL SAN JUAN COUNTY, WASHINGTON