

**SUMMARY OF THE MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
MARCH 12 AND 13, 2007**

Monday, March 12, 2007 - Council Conference Room

CALL TO ORDER

Council Chair Myhr called the special meeting to order at 10:18 a.m. Council members Ranker, Peterson, Rosenfeld, Knapp, and Lichter; County Administrator, Pete Rose; Prosecuting Attorney, Randall Gaylord; Clerk to the Council, Carolyn Morrison; Amy Taylor, Department Assistant/Deputy Clerk; and interested members of the public were present.

PUBLIC MEETINGS/WORK SESSIONS

10:00 a.m. – (Commenced at 10:18 a.m. due to the late arrival of the ferry.) The Council met for a weekly Staff Meeting and Council Work Session regarding County business. No action was taken

RECESS - At 12:05 p.m., Council Chair Myhr recessed the meeting until 10:00 a.m., Tuesday, March 13, 2007.

Tuesday, March 13, 2007 - Council Hearing Room

CALL TO ORDER

Council Chair Myhr called the meeting to order at 10:12 a.m. Council members Ranker, Peterson, Rosenfeld, Knapp, and Lichter; County Administrator, Pete Rose; Prosecuting Attorney, Randall Gaylord; Clerk to the Council, Carolyn Morrison; Public Hearings Specialist, Lisa Brown; and interested members of the public were present. The flag salute was conducted.

CITIZEN ACCESS TIME

Bill Watson, Executive Director of the Economic Development Council (EDC), provided a letter to the Council from Ralph Hahn, EDC President, regarding a proposal for preparation of a SJC Economic Plan. Councilman Ranker asked if Mr. Rose would address this as a discussion item during his briefing time. (Please refer to 11:00 a.m., County Administrator Council Briefing, Item No. 5, for additional details.)

ANNOUNCEMENTS/SCHEDULE CHANGES

1. Council Chair Myhr announced that the new Council Citizens' Access Guidelines would be listed on the Consent Agenda for the following week.
2. The posted Council Agenda and Discussion/Other Action Agenda were revised.
3. Council Members Myhr, Lichter, and Ranker announced that they would be unable to attend the joint meeting with the Town of Friday Harbor (TFH) Council scheduled for Thursday, March 15, 2007. Without a quorum present it will not be considered an official Council meeting. This event will not be recorded in the Council's official Minutes. It was agreed that adjournment would take place immediately following the business of the day for this week.

APPROVAL OF MINUTES

Moved by Ranker, seconded by Rosenfeld, to approve the Minutes of **February 26 and 27, 2007**. Motion carried.

CONSENT AGENDA

Moved by Ranker, seconded by Lichter, to approve the **Final Consent Agenda of March 13, 2007** as follows:

A. Appointments:

1. Approve the appointment of Barbara Marrett to the SJC Marine Resources Committee (MRC) to fill the unexpired term of Mike Ahrenius, which will begin immediately and expire June 30, 2009, noting the

recommendation submitted by Kit Rawson, Chair of the MRC, on behalf of the committee in his letter dated January 19, 2007.

2. Approve the appointment of Penny Gilde to the Lopez Island Library Board of Trustees to fill the unexpired term of Beverly Zapalac, which will begin immediately and expire September 30, 2009, noting the recommendation submitted by Aimee Hirschel, on behalf of the Board of Trustees in her letter dated February 14, 2007.

B. Correspondence:

1. Sign the letter to Barbara Marrett confirming her appointment to the MRC to fill an unexpired term.
2. Sign the letter to Penny Gilde to the Lopez Island Library Board of Trustees to fill an unexpired term.
3. Sign the letter to Betty Gilson, M.D., accepting her resignation from the San Juan County Board of Health; and, sign the Certificate of Recognition for her service.
4. Sign the letters to Governor Christine Gregoire; Senators Mary Margaret Haugen and Harriet Spanel; and, Representatives Dave Quall and Jeff Morris; regarding proposed fare increases for the Washington State Ferries.

D. Miscellaneous:

1. Approve the publication of a Request for Proposals for changes to the SJC Council website.

Motion carried.

ACTION AND DISCUSSION ITEMS

CONTRACTS/AGREEMENTS:

Proposed SJC Inter-local Agreement - Present: John Manning, Health and Community Services Director; Joyce Sobel, Family Resource Center (FRC) Director; and interested citizens. Councilman Knapp requested a brief explanation regarding this agreement that was originally part of the Consent Agenda. Mr. Manning explained that the Strengthening Families Program offers training for high risk families with issues including responsible behavior, peer pressure, making friends, risks and protective factors to help kids avoid using alcohol and drugs. It also helps families to deal with issues, parents to be better parents, and teaches youths how to listen. He further stated that some funds come through the Division of Alcohol and Substance Abuse with federal money transferring through to the state and county level. Mr. Knapp said his primary question had been answered when he heard it was for high risk families. Councilman Peterson asked if there were known families waiting for the program. Mr. Manning replied that he was not sure if new families had been identified yet, but that the Family Resource Center was already administering this program. He also stated that the hardest thing is recruiting the families and keeping them in the seven sessions plus the required follow-up. Mr. Peterson inquired about the necessity of this program if there were no identified families. Mr. Manning stated that there are six families already enrolled. Councilman Lichter commented on the modest cost of \$6,000+ and suggested that he supported it very strongly, given the money is going to be used by the most disadvantaged group. After discussion the following action was taken:

Agreement No. 07HC12 – Moved by Lichter, seconded by Ranker, to sign the Interlocal Agreement for professional services between SJC and Washington State University to provide funds for the parent education program, “Strengthening Families – Spanish Language Version,” between January 1, 2007 through June 30, 2007, in an amount up to \$6,708.00, per the terms and conditions of Exhibit A, “Program Management”. Motion carried.

APPOINTMENTS:

1. Policy Leadership Group - Moved by Lichter, seconded by Ranker, to appoint Tom Cowan, Jonathan White, Sam Buck, Ron Zee, Patty Miller, Peter Kilpatrick, Lincoln Bormann, Lynn Bahrych, Liz Illg, Nick Jones, Kit Rawson, and Lisa Byers to the Policy Leadership Group of the San Juan Initiative. Motion carried. (Refer to Administrator Council Briefing for additional details.)

MISCELLANEOUS ITEMS:

1. Accommodating Our Citizens' Desire to Drive Neighborhood Electric (or Gasoline) Vehicles (NEVs) on All County Roads – Also present: Bill Cumming, SJC Sheriff; and interested citizens. Council Chair Myhr began

by referring to a petition and a letter from a citizen requesting that the Council formalize a policy that SJC roads must be safe for use by all. Myhr commented that our roads should be able to accommodate not just electric vehicles, but be safe for all current uses including walkers, joggers, mopeds, farm equipment, moving houses, sheep herders, snow trucks, etc; and, with multi-purposes such as these that there should be no minimum speed limit. He added that speed kills on our county roads and there are also concerns about too much dependence on high-consumption fossil fuel vehicles in our community. He asked the Council to consider adopting a policy allowing all vehicles to use County roads including new personal vehicles. Councilman Rosenfeld offered that state regulations would not allow use of these vehicles with the current posted limits, and that a policy would require reducing the speed limit. Mr. Myhr stated that on Lopez they are driven much like bicycles and big trucks with blinking lights (indicating slow moving vehicles). Mr. Gaylord said the issue was discussed a year ago by the Council of three who reviewed the statute pertaining to NEVs (RCW 4661725), which states that a person may operate them on any highway in the state having a posted speed limit of 35 mph or less. Sheriff Cumming added that the 35-mph speed limit is an issue that is based on politics as to what constituents want, and that reduced speed limits require heightened manpower for enforcement. Mr. Ranker commented that speed limits aren't based only on safety, but also on what people are going to drive within that safety margin and that people will drive 45 to 50 mph or even 60 mph if it is safe to do so, regardless of the limit. Mr. Lichter said that the County should take leadership in slowing things down in SJC and that he would not have a problem adopting a lower speed limit. Mr. Ranker replied that he was reluctant to move on this without John Van Lund present. Chair Myhr asked about directing the Administrator or other staff to look at creative solutions that would resolve our citizens' wishes to use NEV's on our roads. Mr. Peterson felt that having the Administrator come up with a creative solution would be giving him an impossible assignment and that getting state law to change would rely on public input. Councilmen Knapp, Peterson, and Rosenfeld felt that public input was necessary, and that with only 500 signatures on the petition, we couldn't ignore the other 15,000 in the County. Chair Myhr agreed that they would need to hear from more citizens, but that he is "stubborn enough not to let the discussion die." He concluded by saying he would be interested in seeking a way to find a policy that would work, but that if the only way was to lower the speed limit to 35, it would be something the Council may have to do. **In summary, it was agreed by consensus to ask staff for a potential solution and to schedule a work session for potential public input in the near future.**

2. Proposed Impound Ordinance (formerly referred to as DUI Ordinance) – Councilman Lichter said that last November the issue of impounding vehicles in a DUI situation was brought forward by Orcas resident, Mr. Uzek Susol. Mr. Lichter said he was contacted yesterday by Mr. Susol, who stated he was unavailable for the meeting today, but expressed his desire to be involved in the process and requested Mr. Lichter to ask that this item be continued to the following week. Both Mr. Lichter and Mr. Peterson stated they supported this request. **It was agreed by consensus to hold further discussion on this matter the following week.**

3. Proposed Proclamation: "The Week of the Young Child" – Present: Joyce Sobel, FRC Director; and interested citizens. Councilman Knapp wanted to learn more about this proclamation and to ask if the name of the proclamation could be changed to "The Week of Education of the Young Child." Ms. Sobel explained that this is a nationally recognized effort sponsored by the National Association for the Education of Young Children, and that it was not her right to change its name as it is designated as such across the country. She further explained that the FRC celebrates the entire month of April with an art show at the Medical Center and the Public Library. She said proclamations have always been framed and on display in these locations for the month and at the FRC for the entire year. She went on to express her passion regarding these children, stating that they are our future and that she was astounded that she was called to defend this proclamation for them. Mr. Knapp said he didn't need to hear any more; and, added that he supported it. Council Chair Myhr thanked Ms. Sobel. Mr. Knapp said he wasn't necessarily concerned with what was in this proclamation, but how many proclamations there are and asked if we were diminishing the impact of each with quantity. Mr. Lichter thought it should not be the business of the Council to determine which are worthy, or the wording; and, that when a request for a proclamation is made it is not frivolous. He asked that the Council go on the record as generally approving requests for proclamations. Mr. Knapp stated that he did not want to get to a point where the Council needed to "rubber stamp" proclamations without asking questions. The following action was then taken: **Moved by Lichter, seconded by Rosenfeld, to sign the proclamation proclaiming the week of April 22 through the 28, 2007 as "The Week of the Young Child." Motion carried.**

4. Salmon Recovery Program Update – Present: Barbara Rosenkotter, Lead Entity Coordinator; and interested citizens. Mr. Myhr thanked Ms. Rosenkotter for coming to report on this unscheduled item and asked her to present a program update. Ms. Rosenkotter began by thanking Mr. Ranker for his efforts in raising capital funding for SJC and this program. She then reported on recent developments which occurred in the past ten days, stating that there were coinciding Salmon Recovery capital project funds and not just for SJC, but the entire Puget Sound region, exceeding two million dollars. She added that with the work Mr. Ranker had been doing, the County may be able to access the originally-requested amount of from 2.5 to 5 million dollars. She said that she had a list of

projects that she would share with anyone who was interested. Ms. Rosenkotter added that the budget would be formalized within the next couple of months. She will provide an update in the near future.

5. Council Member Updates – Due to time constraints, Chair Myhr requested that Council updates be rescheduled to available agenda time. **(a) Oil Spill Legislation** – Mr. Ranker distributed a letter dated March 12, 2007 to Senator Harriet Spanel, Representative Brian Sullivan, and Keith Phillips of the Governor's Office, regarding Oil Spill Legislation. He reported on meetings he attended last week with these legislators and other local representatives which were held to discuss solutions for oil spills. The recommendation of the Oil Spill Council was to have one tug stationed in Neah Bay and one million dollars set aside for a contingency tug. He also made copies available of the Oil Spill Council's "Working Together to Improve Washington's Oil Spill Program for Washington's Marine Ecosystems." **(b) November Storm Reimbursement** – Mr. Ranker reported that after a series of meetings with Governor Gregoire, approval for SBA loans was given for businesses impacted by the November storm. He noted that this relief was not just for businesses directly impacted by the storm, but included secondary impacts as well. This includes recovery for employers impacted by employees unable to report to work due to the storm. **(c) Islands Trust Council (ITC)**- Mr. Lichter reported that during the December 2006 joint meeting of the Council and the ITC, mutual areas of concern were discussed including the existing Transborder Agreement. He noted that while recently visiting British Columbia, he met with the Director of the ITC to refresh existing language of the agreement and would be presenting it to the Council next week.

PUBLIC MEETINGS/WORK SESSIONS

11:00 a.m. – (Commenced at 11:09 due to time constraints.) County Administrator Council Briefing. Also present: Amy Windrope, Coordinator, Eco-based San Juan Management Initiative from Shared Strategy of the Puget Sound. Agenda:

1. San Juan Initiative and Recommendation of a Proposed Policy Leadership Group (PLG) – Mr. Rose introduced Ms. Windrope who distributed a list of recommended candidates and a synopsis of the program. She stated that the idea of the PLG will be to meet intensively for three to four months to determine how to work towards a healthy ecosystem for the next 30 years. She added that the goal of the PLG will be derived from local expertise, with additional information provided by regional sources. Discussions regarding membership, subcommittees, focus, and funding ensued. Ms. Windrope said Shared Strategy was funding the program for this year only. Mr. Ranker stated he would be meeting with nineteen of the nation's largest private foundations to solicit funding for future support of this initiative. Chair Myhr commented that Shared Strategy and SJC have had a good working relationship in terms of initiating this program, which was started with an innovative approach in addressing nearshore uplands and marine waters as they look towards efforts of cleaning up the Puget Sound and providing healthy habitat. He stated that the program was designed to provide a model for all areas of Puget Sound. In addition he complimented fellow Council members in providing names of very impressive people that have been brought forward. After discussion, the Council took action to appoint the committee. (Refer to APPOINTMENTS for details of action taken.) Ms. Windrope requested a letter from the Council Chair to WA State agency directors, federal agency regional directors, and tribal leaders, requesting their participation. She offered to draft the letter. Mr. Lichter and Mr. Knapp felt the letter should come from the full Council. Mr. Ranker said he might be unavailable to sign the letter since he would be absent for the next few meetings. Chair Myhr suggested that the Council Clerk could sign and initial the letter on behalf of Mr. Ranker in his absence. It was noted that a Council member was needed on this group to serve as co-chair. The following action was taken:

Moved by Knapp, seconded by Rosenfeld, to nominate Mr. Ranker as the Council representative and co-chair to the Policy Leadership Group. Motion carried. Council Chair Myhr thanked Ms. Windrope for her presentation and added that he was looking forward to the initiative moving forward.

2. Neighborhood Electric Vehicles – Mr. Rose asked for verification that the Council wanted to have a work session set up for future discussion and to have it advertised for public input as well. Chair Myhr stated the Council would need to review legal aspects and have staff input as they try to find a mechanism to address this issue. Mr. Ranker added he would like information from staff in a work session, then to discuss whether a policy is appropriate or even possible. Mr. Knapp agreed that public input is important and that a work session should be advertised in a way that everybody knows what is going on. Mr. Myhr said he believes it is a good issue for the County, assuming it is "true" with the majority of the people.

3. SJC Board of Health (BOH) Vacancy – Mr. Rose asked the board for direction on filling this vacancy. Mr. Ranker suggested asking John Manning, Health and Community Services Director, if he had any candidates. Mr. Lichter suggested placing a display ad in all papers including the *Islands Weekly* since there is currently no representation on the BOH from Lopez. Chair Myhr said he also had some names to bring forward such as retired physicians. Mr. Rose stated that the County will be very diligent in finding a replacement for Dr. Betty Gilson.

4. Request for a Presentation - Mr. Rose requested consideration of a half hour presentation to the Council by the Friends of the San Juans on a scientific study covering marine issues. Mr. Ranker commented that he would like to see this scheduled in conjunction with a second presentation which had been presented to the WA State Association of Counties (WSAC). Mr. Myhr commented that the WSAC presentation had been excellent. Mr. Ranker offered to provide the contact information to Mr. Rose so that the Council Clerk could schedule these presentations.

5. Economic Development Element – Mr. Rose asked the Council about the EDC taking a leadership role in fine tuning the draft “Element” with additional input from the Port of Friday Harbor and the Town of Friday Harbor. He said that he; Mr. Henrickson, Community Development and Planning Department (CDPD) Director; and Steve Simpson, Port of Friday Harbor Director, had concurred with this concept. He added that there was no time in the CDPD schedule for the next few months to be able to work on this. He recommended that the Council support this concept. He anticipated the EDC would eventually require additional funding from the County. Mr. Ranker said he would like to see the following: 1) factual data that supports arguments; 2) a clear understanding of what our current economic drivers are; and, 3) what economic drivers could exist, or where there might be a market advantage to pursue, such as marine technology and healthcare. He asked if there was an EDC staff person that might be able to assist in coordinating required information. He suggested having staff review and refine the data that we currently have. Mr. Rose suggested the Council approve putting together a “team” with a point person from the EDC, the Port of Friday Harbor, and himself. **It was agreed by consensus that the EDC take a leadership role, work with Mr. Rose, and come back to the Council with a proposal to include the scope of work and the estimated cost.**

2:15 p.m. – (Commenced at 2:45 p.m., due to time constraints.) A work session was held on the outcomes resulting from the work session/retreat of February 26 and 27, 2007. Present: Mr. Rose; Pamela Morais, Human Resources Manager; and interested members of the public. Mr. Rose referenced the Staff Report from Ms. Morais received on March 5, 2007. Chair Myhr thanked Ms. Morais for her professional assistance in this process. Each Council Member stated their personal objectives and priorities. Mr. Ranker stated he liked land use amendments such as the “European” model of housing in the Urban Growth Areas (UGA’s), and suggested that staff research would be helpful prior to a presentation to the Council. Mr. Myhr suggested reviewing the core initiatives and priorities and then to develop a work plan with targeted dates. Mr. Peterson suggested committing to a six-month period for completion on some items noting several which were already under way. In summary: Mr. Myhr said some are short-term things that we can cover at meetings on other islands, but that the land use policy is a bigger issue. Mr. Lichter liked the work session but thought the Council could do a better job of focusing rather than continuing to repeat the same concerns noted by previous Board of County Commissioners (BOCC’s). He suggested inviting John Pagini, City Administrator, land-use planner, and Architect, who took Nantucket through their whole panoply of events. He added that Mr. Bill Cook offered to pay for him to come to SJC for a one-day presentation. Mr. Ranker said he would welcome experts from other communities but wants SJC staff to do research as well. With regard to affordable housing, Mr. Ranker would like information presented to the Council from the Administrator and from more groups than just proponents of affordable housing in the County. He also wanted to know how many employees are going to retire, and from which departments. Mr. Myhr said he would like to schedule presentations on other islands regarding trails, and stated that Mitchell Hill is our next area on San Juan Island. He said he would like to schedule 5:00 Citizen’s Access Time on a Tuesday in April. Mr. Knapp suggested scheduling one on Orcas Island. Discussions regarding scheduling meetings on other islands followed. Scheduling outside presenters regarding government and land use ideas was also discussed. Mr. Knapp thought the gentleman Mr. Lichter described would be wonderful to bring out here. Mr. Peterson also supported that idea. Mr. Ranker suggested having information from County staff first, and then convene in six months with experts. He also said he would prefer going into the session with preliminary goals and coming out with recommendations on next steps. Mr. Peterson suggested getting busy on some of the initiatives in the meantime with meetings on other islands. A motion was offered by Mr. Ranker and seconded by Mr. Peterson, that the Council schedule a 5:00 pm meeting in April with site and date to be determined. Under discussion, Councilman Lichter stated he wanted one on Orcas as well. Mr. Ranker then pointed out that the Council Clerk had handed him a note indicating evening Citizen Access Time had already been scheduled for March 30 on Orcas Island, April 10 on San Juan Island, and May 15 on Lopez Island. Mr. Ranker and Mr. Peterson then withdrew the motion and the second. Chair Myhr thanked the Council Clerk for having scheduled these meetings.

EXECUTIVE/CLOSED SESSIONS

1:34 p.m. – Council Chair Myhr announced that the Council would be holding an **executive session** estimated to last approximately 30 minutes, to evaluate the performance of public employees, pursuant to the provisions of

RCW 42.30.110(1)(g). At 2:00 p.m., Councilman Ranker announced that the session was expected to last an additional 20 minutes. At 2:20 p.m., Councilman Ranker again announced that the session was expected to last an additional 10 minutes. The session ended at 2:30 p.m. for an actual session time of 56 minutes. No action was taken.

2:35 p.m. – Council Chair Myhr announced that the Council would be holding an **executive session** estimated to last approximately 10 minutes, to discuss a matter of litigation, pursuant to the provisions of RCW 42.30.110(1)(i). Participants: Karen Vedder, Deputy Prosecuting Attorney. The session ended at 2:45 p.m. for an actual session time of 10 minutes.

The Council came out of executive session and took the following action in open session: **Moved by Mr. Ranker, seconded by Mr. Knapp, to authorize the Prosecuting Attorney to take the necessary legal action for removal of vessels and unauthorized equipment on the Land Bank property on the Lopez Island Spit. Motion carried.**

ADJOURNMENT - Moved by Lichter, seconded by Ranker, to adjourn the meeting at 3:33 p.m. Motion carried. A Special Meeting was scheduled for Monday, March 19, 2007, and the next regular meeting was scheduled for Tuesday, March 20, 2007.

These minutes have been approved and signed on March 20, 2007. The original document is retained in the Council's permanent proceedings file dated March 12 and 13, 2007. Attest: Carolyn K. Morrison, Clerk.