



SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, April 4, 2024 – Council Chambers – Afternoon Session

CALL TO ORDER

Mayor Jackson called the regular session of the Town Council to order at 11:15 a.m. Mayor Jackson requested that Councilmember Turnage act as Mayor Pro-tem for the scheduled Executive Session due to a potential conflict of interest.

EXECUTIVE SESSION

At 11:15 a.m., Mayor Jackson announced that the Council would be holding an executive session regarding potential litigation in accordance with the provisions of RCW 42.30.110(1)(i); which was estimated to last 45 minutes. Mayor Jackson then recused himself from participating. Participants: Town Council, Administrator Kulseth, Town Attorney Kenyon, CDPD Director Ericson and Clerk Taylor. The session ended at 12:00 p.m. for an actual session time of 45 minutes. No extension was needed. No action was taken. [Clerk's Note: See action below.]

ANNOUNCEMENT

Mayor Pro-tem Turnage apologized for the heated discussion at the March 7th meeting, particularly his interactions with Mayor Jackson.

Mayor Pro-tem Turnage then turned the meeting back to Mayor Jackson at 12:05 p.m.

ROLL CALL

Councilmembers: Steve Hushebeck (Position No. 1), Richard Geffen (Position No. 2), Anna Maria de Freitas (Position No. 3), Mason Turnage (Position No. 4) and Barbara Starr (Position No. 5).

Mayor, Raymont Jackson; Town Administrator, Denice Kulseth; Finance Director, Bethany Berry and Clerk, Amy Taylor.

FLAG SALUTE

Mayor Jackson conducted the flag salute.

PUBLIC COMMENT TIME

No public comment was forthcoming.

CONSENT AGENDA

Moved by Geffen, seconded by de Freitas, to adopt the Consent Agenda as follows. Motion passed unanimously.

- Resolution No. 2843 – Authorizing a grant agreement with the Department of Commerce to assist the Town with completion of comprehensive plan updates.
- Resolution No. 2844 – Authorizing a grant agreement with the Department of Commerce to assist the Town with climate resiliency planning

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- 44 • Claim warrant #60495 that was voided and reissued as #60763 from the January 4, 2024 payment
45 period. Claim warrant #60592 that was voided and reissued as #60764 from the February 8, 2024
46 payment period. Claim warrants: #60765 to 60793; dated March 21, 2024; in the amount of
47 \$248,894.59.
- 48 • Claim warrants: #60794-60813, including an EFT payment; dated March 28, 2024; in the amount of
49 \$74,017.40.
- 50 • Payroll warrants: #20065 to 20072, including the employee direct deposit and ACH payments #26 to
51 30; dated March 31, 2024, in the amount of \$390,342.42.
- 52 • Minutes of January 18, 2024, March 7, 2024, and March 21, 2024
- 53 • Letter of Support for the Housing for Healthcare project by SJC Hospital District 1

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ADMINISTRATIVE APPEAL

Administrative Appeal – SJC Fairgrounds

55 At 12:11 p.m., Mayor Jackson opened the continued administrative appeal of the notice of violation issued by the
56 Town for water usage at the SJC Fairgrounds. Mayor Jackson welcomed Jon Cain, SJC Deputy Prosecuting Attorney,
57 to present evidence related to the administrative appeal. Mr. Cain presented written and verbal testimony. Mr.
58 Cain contended that all uses of water are allowable and vested since 1998 because Town amended its regulations,
59 the uses have not substantially changed in recent years and the County has not changed its customer class [as the
60 County interprets Friday Harbor Municipal code].

61 At 1:14 p.m., Mayor Jackson opened the appeal to staff response. Town Administrator Kulseth responded that
62 without checking with the Town that the uses of water were allowable, SJC had built structures and made use of
63 the water without the Town’s knowledge. Ms. Kulseth agreed that SJC has issued itself a conditional use permit,
64 building permits and an overlay district granting itself permission for its activities. Administrator Kulseth reiterated
65 the importance of water planning. Administrator Kulseth stated that she interpreted the County’s case as the uses
66 are allowed or somehow grandfathered because the Town did not stop them prior to now. Administrator Kulseth
67 listed reasons for which the County’s prior appeal was denied and the options provided to the County to continue
68 water usage from the Town.

69 At 1:40 p.m., Mayor Jackson offered Mr. Cain an opportunity to rebut. Mr. Cain disagreed, stating that there is no
70 evidence that the Town objected to its use of water since 1998.

71 At 1:53 p.m., Mayor opened the appeal to questions. Mayor Jackson asked Mr. Cain if he thought the
72 communications and relationship between the Town and County regarding this issue had received collaborative
73 attention prior to the notice of violation. Mr. Cain answered that communication can always be improved.

74 Councilmember Starr asked if RV rental during non-sanctioned events is considered a change of use according to
75 the adopted conditional use permit. No answer was given. Councilmember Starr listed examples of poor
76 collaboration. Councilmember Starr expressed regret that the issue has gone as far as it has.

77 Councilmember Turnage had no questions at the time.

78 Councilmember de Freitas commented on the communications between the Town and County.

79 Councilmember Geffen asked if usage went down during the pandemic. Mr. Cain provided limited usage
80 information.

81 Councilmember Hushebeck commented that he was hopeful that the Town and County can resume successful
82 communication on mutual issues.

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95 Mayor Jackson thanked Mr. Cain for the information presented and continued deliberations to Thursday, April 18,
96 2024 at 12:00 p.m.

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98 ADMINISTRATOR'S REPORT

99 At 2:15 p.m., Administrator Kulseth reported on the following:

- NW Regional City Manager Conference – The Administrator attended the annual conference. Topics of interest included use of “AI” in the workplace and public camping.
- Refuse Packer – The new non-CDL truck is in use. Councilmember de Freitas suggested holding a spring and fall yard waste cleanup event. Councilmember Starr suggested more public education and promotion about these types of events.
- Spring Banners – New banners should arrive soon. The school graduation committee have not yet approached the Town about student graduation banners.
- 1000 Guard Street – The Town received a complaint from the Salal neighborhood concerning noise along the property line.

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110 FUTURE AND NON-AGENDA ITEMS

111 Mayor Jackson asked about the citizen complaint regarding the Marguerite Place Improvement Project. Council
112 suggested more communication with the public regarding the project.

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114 Councilmember Starr requested that the public be better informed about the public comment portion of the
115 meeting.

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117 CITIZEN RESPONSE

118 Necia Quast invited the Council to the League of Women's Voters event at Village @ the Harbor on May 8, 2024.

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120 **ADJOURNMENT** – Hearing no further business and no objection, Mayor Jackson adjourned the meeting at 2:41
121 p.m. The next regular meeting is scheduled for Thursday, April 18, 2024 at 12:00 p.m.

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124 These minutes were approved by motion of the Town Council. The original document is retained by the Clerk in
125 the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk