

Index Town Council
Monthly Meeting Minutes
December 7, 2009

The regularly scheduled meeting of the Index Town Council was called to order at 7:00 PM by Mayor Bruce Albert.

COUNCILMEMBERS AND ADMINISTRATIVE PERSONNEL PRESENT

Bruce Albert
Bob Hubbard
Dean Johnson
Karen Sample
Patrick Woods

Lisa Stowe, Clerk Treasurer
Kim Peterson, Water Distribution Manager

Horst's absence was excused.

Today is the 68th anniversary of Pearl Harbor, marking the start of the world war where 418,000 people lost their lives and 74,000 are still missing in action. This meeting is dedicated to their memories.

Minutes from the November meeting were read. Woods moved to accept the minutes as presented and with a second by Hubbard the motion carried.

Stowe read the November warrants, numbered 2717 through 2744. Payroll and tax warrants totaled \$4569.75 and all others were \$10224.29 for a grand total of \$14794.04. The warrant to Treemasters will be reimbursed through the AWC Loss Control grant. No bill was received in time for the meeting from Pacific Ridge Excavating for the placement of rocks in the river. Resident Ed Boress asked if the firewood was sold from the tree brought down in the park. It went through a bid process and the winning bid was for \$125. Hubbard moved to pay warrants as presented and with a second by Johnson the motion carried.

During public comments Sgt. Martin said a program has been started in Gold Bar for taking back prescription drugs to cut down on chemicals going into the environment. He is also dealing with the vehicles along Reiter, including an old snow machine and a camper.

Bill Wallace and Randy Kline with the Department of Natural Resources presented on the DNR Reiter Foothills Plan. Although the comment period has ended they will accept comments from the town for another week. They presented a concept map and handouts, and gave a brief background of the project. Currently there is a temporary closure in place so restoration work can begin.

The plan is funded by legislature and includes 10,000 acres. Land use sustainability and suitability was looked at in the creation of the plan, with consideration for the town's critical aquifer recharge area. The plan includes working with the town's water manager, Kim Peterson on how to design use. The current concept map is a result of previous drafts presented to the town, and is now in the SEPA process. DNR hopes to adopt the plan by the end of the calendar year and to implement it by next spring through phases and funding availability.

Hubbard asked about enforcement. Riders are going into restricted areas due to the closure and he asked if anyone controls this activity. He also has concerns about riders going down Reiter road and through town. Wallace said activities will be controlled through education, engineering, and enforcement. Engineering will include building so riders know where to go. Enforcement will be done as necessary but it is limited right now, with only one person from DNR covering five counties. Wallace says DNR has enjoyed a good partnership with the sheriff's office and if necessary will seek additional funding for enforcement. Right now what is in place is similar to a block watch, with riders monitoring each other.

Hubbard asked how fast enforcement could respond when new trails are made in restricted areas. Wallace said they can respond quickly if it's a matter of trespass. He also said, regarding riders coming down the road that the County is working on an ordinance near Gold Bar Nature Trails that would allow riders to use the road for a short distance in order to access trails. He said riders coming all the way into Index are not part of that and riders shouldn't be in town. Hubbard asked if DNR would consider creating a trail to keep riders off the road,

since right now there is no connecting trail, which is why riders are using the road. He pointed out that there is a safety hazard because where the riders are connecting to the road there is a blind switchback.

Hubbard commented on the future harvesting of trees along Deer Creek Flats and hopes DNR will work with State Parks in order to allow access to the top of the Wall. Kline suggested including that in the town's comments.

Sample wondered if the five satellite chunks of land on the map could be traded off for more functional adjacent land. Kline said there can be an opportunity to swap out pieces and they have a strategy in place to focus on that.

Woods brought up the aquifer recharge area. If the mapped use doesn't work out and the water system is contaminated, what happens? Once the plan is in place, is there a fail-safe or will the town just have to deal with the water polluted? Kline said the plan simply won't allow access into that area. Woods understands that, but still wants to know what happens if it doesn't work. Kline said DNR would be responsible but also stated that clean up would be extremely difficult. Wallace said they would respond to problems and he agreed they would be ultimately responsible and answerable to State laws protecting water systems. He also intends to keep a good neighbor relationship with the town since this plan must be sustainable.

Johnson hopes that if new trails are discovered entering the aquifer recharge area, DNR would respond quickly and Wallace said that would be a high priority area. Kline said there have been areas where lawlessness has occurred and they have been able to bring it into control.

Sample is disappointed that the only aquifer area is being crossed and used by motorized vehicles. She has seen increased ATV use in gated areas, with new trails being built already, due to the closure. She wants to know what will be done first before the area is reopened. At this point he said trails with no water crossings will be accessed off main roads. Sample asked if barriers would be in place before anything was opened. Kline said enforcement and funding for maintenance will have to be in place before anything is reopened. Sample asked if the opening would be delayed if there were delays in enforcement and funding and Kline said they would have resources for a limited area.

Albert commented on the proposed campground and trailhead for motorized use. Last year vehicles numbered in the multiple hundreds and the proposed location puts a lot of traffic on a single lane road. Plus the traffic will be coming through our residential neighborhoods and the current SEPA does not adequately address this.

Albert feels the current SEPA in general is inadequate, with many questions answered as 'non-project proposal'. The project as a whole has environmental impacts so the SEPA, even though it's legal, should address those impacts. Kline agreed that answers aren't communicated well and said the entire project's focus is about staying away from sensitive environmental areas. When DNR gets to individual projects they will be looked at again when specific locations are known.

Albert said it appears work will be done over the winter in order to open in the spring so he wonders what the threshold is to have a review come forward. Kline said when they do a motorized trail a SEPA has to be done and the town will have a chance to review and comment. He said they will also need County permits. Wallace said the current SEPA is a set of strategies similar to creating a Comprehensive Plan, which is then followed by specific proposals.

Peterson doesn't like the SEPA but likes Wallace's answer. As the water manager she doesn't agree with the location of the critical aquifer on the map. The town has its own designation and DNR and the town must be on the ground to put up signs and go from there because the wording on the Plan is to 'minimize' and 'limit', which means motorized access is still allowed and it's happening now. DNR and the town must agree with the physical site and establishing a concrete delineation would ease town concerns. Albert asked if something like that could be set up. Kline said yes, and also said DNR has engineered the maps already, but Peterson said the town also has engineered information that does not agree with DNR. So unless it is clarified on the ground nothing is conclusive. The town's duty as a water purveyor is to protect the system out to a thirty year horizon. Wallace said to make sure this is in the comments so it's in written record.

Peterson also considers the sheriff's office and fire department to be understaffed for dealing with this use.

A member of the audience, Charlie Preston, asked Sample if DNR can control the Reiter area is she for opening as soon as possible to prevent more problems. Sample said no, she wants everything in place first before anything is opened. She is also disappointed in the aquifer recharge use. She feels enforcement must be in place before riders come back.

Preston wanted the town's aquifer map to be in public knowledge and not held back. Albert said the aquifer recharge area has been an object of open concern in public meetings since this process started. If anyone wants information they can contact the town clerk in writing.

Stowe and Albert will compile the comments and get them to DNR this week.

Under council comments Johnson thanked the Council for the work they do and hopes to return some day.

Sample continues to work on internet availability and there may be a possibility of the town being able to resell internet service. The next question is whether the town wants to wait two years until the black fiber reaches the town and then create an infrastructure, or create something now with a T1 and then swap it out later.

The Planning Commission did not meet due to the holiday.

Albert said the new vault lid arrived and was put in place. He thanked Bob Foster for his assistance.

Albert thanked Johnson for his service as a council member and as mayor pro-tem.

Stowe asked the council if they wanted to continue supporting Jim Flowers, council member of Sultan, as the town's representative on the Health District Board. Hubbard moved to continue with Flowers, and with a second by Sample the motion carried.

The bill to BNRR will be due next month. Stowe asked the Council to consider how they want to handle this charge. She has had no response in over two months from the Railroad Management Company.

There were no business or land use applications at this time.

Stowe presented Ordinance #406 relating to salaries and wages for 2010, for action. Sample doesn't like not giving a cost of living increase but understands the need with the current economy. Albert said that although there are no raises this year, last year the town exceeded the CPI, and contrary to many cities and towns, Index has not had to cut pay or lay off employees. Sample understands that, but next year would like to look at wages more closely. She moved to accept Ordinance #406 relating to 2010 wages, and with a second by Hubbard the motion carried.

Stowe presented Ordinance #407 relating to the budget for 2010 for action. There were two versions. One is the balanced version presented last month, and the second is amended to follow the more traditional version the town normally does. Albert reiterated what he said last month that the reason the traditional method works is that there has been reserve on the part of employees and the council on spending. The beauty of the traditional version is that a budget amendment is not needed during an emergency situation. The downside is that there is a potential for the town to end up with someone who overspends. Sample moved to adopt the amended traditional version of Ordinance #407 relating to the 2010 budget and with a second by Johnson the motion carried.

As there was no further business Johnson, in his last act as a council member, moved to adjourn. Sample seconded the motion, and the meeting was adjourned at 8:55 pm.

Adopted by the Index Town Council this 4th day of January, 2010.

Signed: _____
Bruce Albert, Mayor

Attest: _____
Lisa Stowe, Clerk/Treasurer