

Index Town Council
Monthly Meeting Minutes
May 4, 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	Sean Horst
Bob Hubbard	Lisa Stowe, Clerk Treasurer
Dean Johnson	
Karen Sample	

Woods absence was not excused.

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

Stowe read the April warrants, numbered 2586 through 2604. Payroll and tax warrants totaled \$4468.34 and all others were \$5000.90 for a grand total of \$9469.24. Hubbard moved to pay the warrants as presented and with a second by Johnson the motion carried. There were two warrants to Bob Foster because Stowe forgot to include his clerk training hours in his payroll. The warrant to the Department of Health was for the annual water system fee. The warrant to Wagley Creek was for repairs on the town truck.

During public comments Ed Boress thanked Stowe for her work on the minutes.

Susan Susor asked if the town had written a letter yet recapping issues between the neighbors. Due to illness Albert has not yet done the letter, but reminded everyone that in the interim, the items are spelled out in the minutes.

David Cameron thanked the town for the work done bringing water to the community garden. Albert also thanked Peterson and Cross for the work.

During Council comments, Hubbard reported that several cars in town have had gas stolen. Stowe will give a note to the Sheriff Deputies.

The Planning Commission did not meet on their regularly scheduled day due to lack of quorum. They were able to reschedule for the following day, and continued working on revisions to the Comprehensive Plan. Sample asked if there was a deadline for having the revision done. Stowe said not yet as the town is ahead of the revision timeframe. Albert said the timeline comes more from the need to finish it so that the zoning ordinance can be revised.

There was no maintenance report as Cross was out on an aid call.

Albert has been contacted by the Department of Emergency Management regarding swine flu. There is basically no consensus between agencies except for telling people to follow the normal precautions. It appears the communications systems are outstripping actual information.

Albert has received the new interlocal between the town and Snohomish County for animal control services. This is for assistance when needs outweigh the town's resources, as in impoundment or transportation help. These services can only be invoked by the mayor, the animal control officer, the clerk, or the Sheriff Deputies. Hubbard moved to enter into the interlocal with the County for animal control services. With a second by Johnson the motion carried.

Under land use, Albert said that the National Marine Fisheries department is involved in a lawsuit that will impact development in flood zones. There will be more information as it becomes available.

Ordinance #400 relating to animal control was presented again. Hubbard moved to adopt Ordinance #400 as presented. With a second by Johnson the motion carried.

Stowe presented Resolution 09-06 relating to identity theft. All utility systems are required to have a 'Red Flag' rule, as it is more commonly called. The resolution asks for adoption of the plan, and the identity theft plan is attached as it requires signatures from the mayor and council members. In a town the size of Index it would be difficult to have fraudulent use of the water system, but the rule is required. Horst asked if the town had a shredder, which it does. Johnson moved to adopt Resolution 09-06 and with a second by Hubbard the motion carried.

Ordinance #398 relating to noise was presented for a first reading. This Ordinance was passed in June of last year, with a sunset clause that will expire next month.

Stowe has problems with the phrase 'unreasonable' as it seems difficult to clarify or measure what exactly unreasonable noise means. Albert said that was one of the issues, especially when changes in neighborhoods affect opinions. He can sympathize if someone does have a problem, because with this there is something in place. He sees the problems coming from neighbors that don't get along, and in those instances no ordinance is going to work.

Hubbard has been on both sides of the issue and understands when a person can't sleep or is stressed, and that they then might not be a good person to walk over and talk to a neighbor. It helps to have an intermediary to avoid a duke-fest. If the noise complaint is unreasonable, that would out itself at the time and be dealt with.

Sample thinks if anything goes to the point of becoming physical, there is a recourse already in place to call a Deputy, and she is not keen on adding more laws to the books. Albert asked her if, in her research for the original ordinance, she came across any specific RCW's addressing possible recourse. He seems to remember someone called the Deputies before there was an ordinance and was told since the town didn't have one nothing could be done. Sample and Albert will research RCW's.

Albert reminded the council that filing for seats will be next month. Stowe will post the open positions the beginning of June.

As there was no further business Hubbard moved to adjourn. Horst seconded the motion, and the meeting was adjourned at 7:45 pm.

Adopted by the Index Town Council this 1st day of June, 2009.

Signed: _____
Bruce Albert, Mayor

Attest: _____
Lisa Stowe, Clerk/Treasurer