

Index Town Council
Monthly Meeting Minutes
October 4, 2010

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	Lisa Stowe, Clerk Treasurer
Bob Hubbard	Kim Peterson, Water Distribution Manager
Karen Sample	
Pat Woods	
Pete Gott	
Sean Horst	

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

Stowe read the September warrants, numbered 2926 through 2945. Payroll and tax warrants totaled \$4961.50 and all others were \$8770.46 for a grand total of \$13731.96. Gott moved to pay the warrants as presented and with a second by Horst the motion carried.

During public comments resident David Cameron asked if the annual riprap inspection had been done. Albert said that Cross had done this and there had been no significant high water last winter. He is also talking to Cross about an alder tree that may need to come down.

Resident Blair Corson said investors are in final negotiations for the purchase of the Bush House. He would like help from the mayor and the council as the restoration process is started. Albert said once the new owners have prepared information on the renovations, they could sit down and go over what the town needs. Corson hopes to start work immediately on anything that is about ready to fall apart. Albert reminded him that the decks had been damaged by the snow in 2008 and any work on them would need permits.

Resident Susan Susor attended the Heybrook Hoedown and thanked the sponsors for a fun event.

Resident Etta Hunter is holding a Block Watch meeting on the 5th at the Old Fire Hall.

Corson said he may be asking the town for an easement if the septic issues at the Bush House are not resolved. Albert said there are several options that can be discussed.

Albert thanked Sgt. Martin for working on the population outside of the town limits. Sgt. Martin is just back to work and is catching up and so had nothing to report. Horst and Hunter also thanked him for the clean up. Albert has noticed one motor home that has moved back into the area.

Under council comments Sample has made another contact with Frontier but has had no response. She will also get in touch with Cameron Bailey regarding the lobbying for small towns.

Sample asked about the possibility of holding a farmer's market. Albert thought it was a good idea, and said if she wanted to use the park she might need to do a Special Event Checklist.

Albert asked Sample if she was going to be doing another watershed walk with Peterson and Hubbard. Peterson said she has requested maps from Candace Johnson but has had no response.

Horst enjoyed the Heybrook Hoedown and thanked the Corsons for hosting it.

The Planning Commission did not meet as they did not have any agenda items. They are waiting for comments from the council on the Comprehensive Plan draft. Albert asked the council to get those comments in before the last Wednesday in October.

Under the maintenance report, Albert said Cross has been working on the town hall siding and Stowe said the work is well under budget.

Water was out for one day due to an accident with work the PUD was doing. The water line had been correctly marked, and the PUD was outside that zone, but their drill hit a rock which hit and broke the line. Horst said he went by and saw all the work being done and wasn't sure if he should stop because of being the disaster coordinator. Albert said it never hurts to stop and offer but there were three PUD line trucks there. He said these kinds of things have always worked well because of people in town pitching together, but that this got fixed fast because he and Peterson were able to drop everything they were doing and work on the break. He said there are a lot of details like how to shut water off in an emergency, that might be good for others to learn as he and Peterson won't live forever. Peterson said she would be happy to show Horst how to shut water off, and also thanked Hunter for helping notify people.

Sample asked who would be paying for the repairs since this was an accident. Albert said since the PUD was outside the located area this seems to be a result of bad luck. He's willing to have the town cover the repair, but that the town won't be liable for the PUD expenses of the line trucks and crews.

Peterson presented packets of Shoreline information for the Council to prepare for the October work session. There are associated maps for review at the town hall. She asked the council to read through the material and gather questions for the session. She also reminded everyone that the Comprehensive Plan, when adopted, needs to follow the Shoreline Management Plan and if it doesn't it will have to be revised again so to make sure the Comprehensive Plan draft coincides with the Shoreline Plan. The Hazard Mitigation Plan that the town has been working on with the Department of Emergency Management will also have to be included in the Comprehensive Plan draft.

There has been some confusion over flood insurance rates going up. Peterson said that Snohomish County has adopted a draft FEMA flood plain map and included Index. She has asked them to remove Index as the town has not adopted that map and it is still under review. It appears that the final FEMA map will be similar to the draft and there are some areas in town currently designated as being within the 500 year flood plain, that will have the designation changed to a 100 year flood plain, but that is not finalized yet. The town is reviewing the draft map and Index will have to be in compliance by 2011 which means the adoption of new ordinances and rules, as well as enforcing new flood plain regulations.

Susor asked about flood insurance questions for those houses facing a change in designation. Peterson said under today's map there should be no change in flood insurance, but to anticipate changes once the new maps are adopted. Some of those houses may have to get flood insurance if the house is financed. Albert said new construction would have to have elevation certificates done. Peterson said houses like Woods's, which was recently elevated, would not have to be elevated again because they were elevated to the code current at the time the work was done.

Albert said the new floodplain regulations were initially supposed to be adopted by January 2011 but there has now been a six month extension granted.

Albert attended the gathering to celebrate the acquisition of the Town Wall and believes this will be a positive event for the community.

Albert is still planning on contacting the County about a stop sign on Galena road, and Sgt. Martin has emailed regarding this, too.

Albert met with the Forest Service regarding the trap grounds, which is in the process of being cleaned up. They discussed the possible future of the site, including such things as a campground, a day use site, launch access, and bathrooms, which is all hypothetical at this point. Some rock will be brought in to keep people within the parking areas and out of the woods.

Albert has been meeting with Snohomish County regarding interlocals including fire inspection and investigations. There is no formal agreement currently, and he will be talking to Fire District #28 about those services to make sure tax payers aren't charged double. He is also working on updating the building plan interlocal and the County may be taking over doing the flood hazard permits.

Council packets included a letter regarding the interlocal for animal shelter service. The letter detailed the only changes in the interlocal, one of which was a lowering of charges. Sample moved to renew the interlocal for animal shelter services with the City of Everett, and with a second by Hubbard the motion carried.

Stowe received copies of the Harris Software audit and it appears the town does have to pay the back taxes. However, she would like Albert to look over the audit prior to paying the bill.

After working for more than two years with the railroad, Stowe finally received a letter stating that the railroad made a mistake in charging the town for an easement for the water line near the Crescent Trail. The railroad realized that the town owned that land, and sent a letter to Stowe saying that the bill would go down by 50%. The letter did not address Stowe's question about the town being overcharged for the last two years. This letter was followed by the invoice for the coming year, which instead of being lowered by 50% was even more than the previous year. She has left a voice mail and will not pay the bill until she has had a response and can report back to the council.

Stowe passed out a thank you card from the Johnson family for the work done in cleaning up the area outside of the town limits.

There were no new business or land use applications.

At 7:50 pm a public hearing was called into order to address the Shoreline Variance request received from the Susor's for repairs to the roof of a historic building. Albert read over the requirements for holding a Shoreline hearing, and there were no impediments to continuing. The Susor's were granted an easement for twenty feet of 9th Street in 2003 for the purpose of septic repairs and for the restoration of a shed and miner's cabin, both of which are over 100 years old. In the process of rehabilitating the shed, they realized that they needed a Shoreline Variance because the work is being done within 200 feet of the river. No public comments were received, and the council reviewed the staff findings. Hubbard moved to grant the Shoreline Variance and with a second by Sample the motion carried. Susan Susor asked getting a letter and Albert said the decision would have to be reviewed by the Department of Ecology first. He thanked her for following the process, and said that there were a lot of things that made this application easy, but in the future we will see them getting harder.

The Public Hearing was adjourned at 8:00 pm.

There are three ordinances before the council. Ordinance #410 regarding the Model Traffic Code is ready for action. Sgt. Martin is happy with the wording. Albert chose to exclude some chunks not applicable to Index, such as establishing traffic divisions, parking meters, traffic safety commissions, licensing bicycles, and service parking. Sample moved to adopt Ordinance #410 relating to the Model Traffic Code as presented and Gott seconded the motion. Hubbard asked for clarification around potential responsibility for the things excluded. Albert said by that if they were not excluded the town would have to do them. With no further discussion the motion carried.

Ordinance #408 relating to junk vehicles on public property was drafted and sent to the lawyer and Albert learned the town would be better off with a nuisance ordinance and could adopt by reference specific State statutes. He would like to let this draft sit for a month because his goal was to get junk off town property but he also knows that in this town there is little parking and is nervous about an ordinance that, if followed to the letter of the law, could have some potential abuse. At the same time he feels people should have their treasures in their own space and so he wants more time to think about this.

Ordinance #409 relating to nuisances on public property also needs to be considered more before action. The ordinance includes a letter from the lawyer, and Albert asked the council to review this material and make sure this is a direction the town wants to go in. He asked the council if they supported this direction. Sample feels this is a direction the town should go as there are some health and safety issues involved. She recognizes that private property should be private but on the other hand if litter and junk accumulates on someone else's property then that should be addressed. Albert asked the council to be sure and read through the referenced RCW'S and WAC's.

Resident Ed Boress asked if there weren't already ordinances in place to cover a vehicle on town property with no tabs. Sgt. Martin said yes, but this ordinance is much better and more specific.

As there was no further business Horst moved to adjourned, and with a second by Sample the meeting was adjourned at 8:17 pm.

Adopted by the Index Town Council this 1st day of November, 2010.

Signed: _____
Bruce Albert, Mayor

Attest: _____
Lisa Stowe, Clerk/Treasurer