

Index Town Council
Monthly Meeting Minutes
January 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	Pete Gott
Bob Hubbard	Patrick Woods
Karen Sample	Lisa Stowe, Clerk Treasurer
Patrick Woods	

Oaths of Office were administered to Bruce Albert, Karen Sample, and Pete Gott. Albert thanked Sample for returning, and Gott for stepping up. Sample thanked Albert for returning.

This meeting is dedicated to the memory of Michael Rohr.

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

Stowe read the December warrants, numbered 2745 through 2768. Payroll and tax warrants totaled \$5095.44 and all others were \$11164.84 for a grand total of \$16260.28. Horst requested a refresher on the information around the Burlington Northern Railroad warrant. This is a fee for the water line crossing along the railroad easement. The contract stipulates that the railroad can require the town to move the water line at any time, and since there is no alternative route, Albert recommends paying the bill. Since there is no source that doesn't require using their right of way, the onus is on the town to have something together prior to any other action.

Gott has read over the files and suggested sending a letter to Railroad Management stating the town was willing to pay but requested reopening negotiation prior to sending a check. Sample agrees with Gott. Railroad Management may have legitimate reasons for not returning calls but they have taken a year and blown the town off. She said the town has been nice but it isn't having any effect. Gott has a problem paying rent on land the town has purchased. Albert has pointed that out to Railroad Management and was told that the town was getting a 'good deal' and they could choose to charge us even more. Albert doesn't want to be the one to tell people they have no water or no fire service and also doesn't want to have to float a bond to pay for moving the water lines. A bond could easily run a million dollars. The town has a rental agreement with one of the most powerful companies in the US and the agreement, signed by the town, says the Railroad can remove our lines at any time. The town does not have another option to that agreement and is not in a position to throw weight around. The town also does not have the option to use someone's property and not pay the rental fee. The analogy would be renting someone's home and deciding to not pay the rent because the landlord raised the fee. Sample said the problem isn't paying the fee, the problem is the Railroad Management people not returning calls and the lack of communication.

Sample moved to pay the warrants as presented, including the one to Railroad Management and Hubbard seconded the motion.

Hubbard agrees with Albert that this is not the best time to draw a line, and asked if the contract included the crossing itself. That is dealt with under a separate agreement. With no further discussion a vote on the motion was taken and the motion passed with Gott opposing the motion. Gott will help Albert work on reopening communications with Railroad Management.

During public comments Anthony Vega said the Sportsmen's Club want a group to reopen the baseball field and trap grounds, without a shooting range. It was suggested the town might take this on. Stowe said a proposal would need to be in writing and they would have to address the lead issue. Albert reminded Vega that the area is outside corporate town limits and the town has no jurisdiction. The town does have a vested interest because of the Crescent Trail. Albert said it would be nice if someone did take that on and included both sides of the road to address problems including unacceptable sanitation issues.

Horst wondered if anyone knew how extensive the lead clean up would be. Vega said it would be very expensive. Hubbard wondered if the land could be covered with clean dirt rather than removing the lead contaminated soil. He also said that even though the area is outside of town limits, a volunteer group could take this on and the town could support them, similar to Heybrook Ridge.

Blair Corson asked if there was a date set for the Art Festival. This will be held the first Saturday in August. The Corsons are hoping to bring back Sky Fest at the same time.

Under council comments Sample continues to work on the internet issue. The town attorney said there is a test case in court deciding if a municipality can provide service. Sample has been talking to Verizon and it appears there are several options to fund the service through Verizon, including deferred payments, leasing the infrastructure equipment, or purchasing it outright. Albert said before the town reaches a critical point the lawyer should report on the case. Stowe will get the lawyer's contact information to Sample.

Hubbard brought up recent problems when Reiter road and the town were used as a detour route after an accident. He suggested posting an officer in town to regulate speeds. Sample also wondered if the Department of Transportation Incident Response Team, or officers, could patrol Reiter road due to the dangerous conditions and the speed people travel on it. Corson suggested posting a speed monitor with radar to slow drivers without needing a person to patrol. Albert said people using the detour did a better job at stopping at stop signs than locals do. Gott suggested detour signs to move people through town at a slower speed. Albert will mention the concerns to Sgt. Martin.

Horst thanked resident Caroll Cochran for the peace march she sponsored, and that it was a great way to start the New Year.

Sample asked about committees that used to exist and wondered if she was taking on tasks that weren't her responsibility. The consensus was that it doesn't matter if someone takes on a task outside of their label. The committees exist so council members can help the mayor. Stowe will bring committee information to the next meeting. Vega asked if residents could be involved. Stowe said this is basically a council member responsible for a specific area, but help from residents could be solicited.

The Planning Commission did not meet due to the holiday.

There was no maintenance report as Cross is out ill.

Albert thanked those residents who helped with decorating the park for the holidays.

Albert collated comments from the council regarding Reiter Foothills and sent a letter. A copy is at the town hall.

Currently there is a jurisdictional dispute between the Army Corp of Engineers and FEMA regarding the boulders placed in the river, and the town is working on a resolution.

Albert has concerns over the direction the community is taking with regards to two things. First, there is mixed use including a garden and landscaping on public property. But others are using the land for trash and trailers. People do not have the right to occupy or make a mess on public property. He would like to look at the areas and current uses for action. Second, there is an increase in trailers occupied full or part time and this use increases density and the possibility of problems with septic systems. Both issues will be addressed.

Stowe presented letters from Snohomish County Tomorrow and Community Transit seeking council representation. She will have those letters at the town hall if anyone is interested.

The Snohomish County Tourism Bureau is seeking membership dues. In the past the town has elected to not pay this as the town is not represented in their information. Resident Susan Susor asked if this was because there was nothing to contribute or because no one sent anything in. Hubbard asked if the fee was paid, could the Art Festival or Wave Trek be added. Stowe said those are not town events, but she submits them to a separate brochure that lists Sky Valley Events. There was no desire on the part of the council to pay this fee.

There was one business application amending a previous application for the Wave Trek River House to add an internet cafe. Hubbard asked for more information regarding what an internet café meant. Corson said they will be able to serve food in enclosed containers plus serve coffee. Their intent is to offer free internet service while there. Sample asked if the Corsons had answered the Health District concerns and they have.

Albert said parking will have to be dealt with at some point, though Wave Trek has done a good job corralling cars. Since the museum and the store are in the same proximity, parking spaces are going to become an issue. Hubbard suggested gravelling the area between Crescent Street and the railroad tracks since the area is near Wave Trek and not in front of homes. Albert said that certainly could be done and was a good idea.

Albert would like the town to receive a copy of the septic paperwork, plus a letter from the Health District stating that the septic is adequate for the intended use. Corson has an engineered design for a second system as a back up plan. They have their system checked annually and haven't seen any failures.

Gott moved to accept the business application and Hubbard seconded the motion. Albert suggested making this subject to the letter. Hubbard moved to amend the motion to accept the business application with the provision of a letter addressing septic issues from the Health Department and copies of septic information. Gott seconded the amended motion and with no further discussion the amended motion passed.

Stowe presented Resolution #10-01 entering into an interlocal with the Association of Washington Cities for general insurance. Sample moved to accept the Resolution and with a second by Hubbard the motion carried.

A group involved with the Sky Valley Chamber of Commerce is petitioning to reopen Reiter Foothills because of a decrease in business. Albert said they are free to contact the town in writing for council review.

Hubbard asked if anything had been set up yet for the on-ground review of the aquifer area with DNR. Due to the holidays this has not happened, but Water Manager Peterson will be following up on this.

Albert reminded everyone present that the way the meetings will be held is by the chair recognizing people before they speak, by requiring people to only speak on the topic before the council, and by requiring people to not use the topic as a point of debate between residents.

As there was no further business Horst moved to adjourn. Sample seconded the motion, and the meeting was adjourned at 8:30 pm.

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

Signed: _____
Bruce Albert, Mayor

Attest: _____
Lisa Stowe, Clerk/Treasurer