

Index Town Council  
Monthly Meeting Minutes  
December 6, 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	Bill Cross, Maintenance Supervisor
Pat Woods	
Pete Gott	

Horst was not present due to a class conflict.

Albert thanked Cross for all the work plowing snow.

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

Stowe read the November warrants, numbered 2966 through 2984. Payroll and tax warrants totaled \$4603.63 and all others were \$5816.15 for a grand total of \$10419.78. Sample moved to pay the warrants as presented and with a second by Gott the motion carried.

During public comments resident Etta Hunter said there will be no Block Watch meeting this month.

During the Sheriff's report, Sgt. Martin said Index will not see any change in service based on Gold Bar's budget decisions. Sample asked if that meant the east precinct would not be cut, which it will not.

Sample asked Sgt. Martin about heroin. He will be doing a presentation in Gold Bar Tuesday, a meth lab was found on the South Fork, the type of heroin is gunpowder, selling for around \$18 a gram, and there has been an increase in use but no increase in juvenile arrests yet.

Under council comments Gott apologized for missing the meeting last month.

Hubbard unofficially kept an eye on trees during the windstorm and said four in particular along the Crescent trail seemed solid. The property owner adjoining that area has since cut the four trees down.

Sample said the walk with DNR was cancelled due to snow. She talked to linemen from Frontier for an interesting perspective on the issue of high speed internet. The linemen didn't feel a T1 line would be sufficient, and they will recommend Index for high speed internet. Sample would also like to put together a petition in order to show Frontier the amount of interest there is in the area. Sample clarified her previous comments on the sight issue at the intersection of Galena Road and the bridge. She has had problems when entering town from Galena. Most people were talking about sight problems leaving town, but the bend in the guard rail makes it difficult to see when entering, too.

The Planning Commission did not meet due to the holidays.

Under the maintenance report, Cross said he was happy to have the tractor for moving the snow. Albert said the streets were kept passable, and while the town tries to make it work for people with cars, Cross won't plow individual parking areas for people. That is their responsibility. The town also has an expectation that cars will not block streets. He thanked Cross again for the plowing work. Albert said Allied has brought up a dumpster that will be used if Allied misses more than two weeks at a time due to bad weather.

Peterson hopes to have a draft shoreline plan available by the third week in January for council review followed by a public hearing in March. The plan is lots of paper so she'd prefer to present on CD's or thumb drives but if someone truly needs a paper copy and will actually read it she will print it. There will also be one hard copy at the town hall. Albert said the AWC newsletter had an article about a city that provided iPads for their council, saving in copying and paper. Sample said the school obtained some and she will find out if those were through a grant and what the costs were.

Albert met with Snohomish County Deputy Executive Gary Haakenson. It was a brief meeting but covered retaining the excellent level of law enforcement in East County, the closure of Index Galena Road and how long it's taking to open it, and the lack of public transportation to Index. They agreed on principle, but lack of money is an issue.

A yurt has been constructed on 7<sup>th</sup> Avenue that Albert believes to be a violation of codes. He spoke with the town attorney and that led to a revision of the building code ordinance. This does not reflect on his personal opinion of yurts, but it needs to be an approved structure with a sanitation system and water. Hubbard agreed and said he wondered when this would come to official attention.

Albert asked for comments on recent clearing behind the Bush House. After discussion and a drawing of a map, it was established that the shed that was demolished was closer to the town's recycle shed than previously thought. Any further work will have to comply with the buffer along the creek.

A resident approached the town about building a 10x16 wood shed. It raised an issue that comes up repeatedly about the difference between the Town requirements for a County permit for something larger than 10x12, and the County allowing up to a 10x20. Albert asked if the council would consider administratively changing the requirements. This would be for structures under 10x20 that can't be occupied. Anything in a critical area or flood plain would still require those permits. Albert's suggestion was that a structure under 10x20, outside of critical areas and the flood plain, would require a land use application process and not a County permit as long as it was in accordance with other codes. Sample thinks this should be done as long as it's clear the building is not lived in.

Peterson said that as the town has such small lots and is heavily built out, a 10x20 structure can have huge impacts on neighbors, septic systems, etc. Albert said this would not override setbacks and lot coverage requirements. Hubbard said a person can't build on a septic system and reserve field and since those systems are not included in lot coverage he thought it was a good idea to retain some control over the process.

Gott also thought the change would be a good idea and Albert will research the best way to do the revision. Stowe will contact the resident with information about the land use application process.

Stowe presented a letter from the Snohomish Health District, asking for approval of Snohomish Mayor Karen Guzak to remain as the town's representative to the Health District Board for 2011. Sample moved to allow Guzak to represent Index and with a second by Gott the motion carried.

The resolutions passed last month for property taxes did not include \$113 for new construction. Stowe said the council had the option of revising those resolutions to include that single amount, or banking it. There was no council interest in changing what was adopted.

Stowe presented a letter about the formation of a Cooperative Weed Management Area in conjunction with the forest service. Hubbard is interested and it was suggested that Stowe also ask Horst.

Albert said Stowe has been working with the Railroad Management people regarding the over charges and is waiting for a revised bill before paying the invoice. He suggested that if the invoice had a due date on it, Stowe might want to send a letter stating who she is working with and citing the conversations.

There were no business applications.

There were no land use applications.

Ordinance #408 relating to unauthorized vehicles was ready for action. Last month concerns were expressed about the possibility of abuse of power. Sample talked to the town attorney who said it was technically possible but not likely. Albert's intent was to get a handle on the stuff on city property that is obviously junk. Sample moved to approve Ordinance #408 and Hubbard seconded the motion. Gott said he was not here last month but thought the lawyer had not answered the question. He felt the question was more about what would happen if a rogue mayor with a personal vendetta abused the ordinance. Sample offered to go back to the lawyer but felt that with the fact that it is the sheriff's deputies that tag vehicles, and that they have a protocol and process to follow, abuse would be unlikely. Albert said in terms of a rogue mayor there are a lot of other opportunities for abuse. Gott did not feel it was necessary to resubmit to the lawyer. As there was no further discussion a vote on the motion was called for. The motion passed with Gott abstaining.

Stowe presented a revised Ordinance #411 relating to the budget for 2011 for action. The numbers reflected the council's wish for a version showing an increase in the pay for the clerk position. Sample moved to accept the revised budget and with a second by Hubbard the motion carried.

Stowe presented a revised Ordinance #412 relating to salaries for 2011 for action. The revised numbers reflect bringing the clerk pay up to the same level as the maintenance pay. Sample clarified that this would not be for new employees. With no further discussion Sample moved to adopt the revised version and with a second by Gott the motion carried.

Albert presented Ordinance # 413 relating to revising the International Building Code Ordinance for a first reading.

Albert presented Ordinance #414 relating to establishing an appeal process and enforcement of land use violations for a first reading. Currently the town has penalty enforcement as a misdemeanor but Albert doesn't really want to send people to jail and so would like to set forth a civil enforcement process.

As there was no further business Sample moved to adjourn, and with a second by Gott the meeting was adjourned at 8:15 pm.

Adopted by the Index Town Council this 3<sup>rd</sup> day of January, 2011.

Signed: \_\_\_\_\_  
Bruce Albert, Mayor

Attest: \_\_\_\_\_  
Lisa Stowe, Clerk/Treasurer