

Index Town Council  
Monthly Meeting Minutes  
May 3, 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	Sean Horst
Bob Hubbard	Lisa Stowe, Clerk Treasurer
Karen Sample	Bill Cross, Maintenance Supervisor
Patrick Woods	Kim Peterson, Water Manager and Flood Plain Coordinator
Pete Gott	

Albert dedicated this meeting to the memory of J.C. Burbank, a resident of many years who once worked as a deputy marshal for the town.

Cross was thanked for putting up the POW flag.

Minutes from the April meeting were read. Three amendments were noted. Horst moved to make the amendments and with a second by Gott the motion carried. Horst then moved to accept the minutes as amended and with a second by Gott the motion carried.

Stowe read the April warrants, numbered 2829 through 2844. Payroll and tax warrants totaled \$5157.97 and all others were \$7262.83 for a grand total of \$12420.80. The warrant to Allied Waste was double the normal amount because last month's check was damaged in the mail and could not be accepted. That check will be voided. Hubbard moved to pay the warrants as presented and with a second by Sample the motion carried.

During public comments resident Yvonne Lawson thanked Peterson for her assistance in obtaining information for special events insurance. The Art Festival found the cost quite reasonable. Albert thanked Lawson for her follow through and hopes to have guidelines for insurance thresholds for future applications.

Resident Etta Hunter would like to purchase a banner that could be used for community meetings or emergencies and that might be more visible than the current postings at the store and kiosk. She is willing to pay for the cost. Sample suggested the bridge or at the park, as those spots are high impact visual zones. Cross suggested hanging it under the Doolittle park sign, which is currently being rebuilt. Sample doubts the cost of a banner would be that much and felt the Town should pay for it. Hunter will research costs and let the Council know.

Under the Sherriff's report, Sgt. Martin has set up a community pot luck for June 14<sup>th</sup> at 5:30. This will be to introduce officers and to give information on the Block Watch program. Resident Ed Boress asked if the Block Watch program would include safe house stickers. Sgt. Martin was not sure, but will check. Sgt. Martin will also get monthly stats to Stowe.

Under council comments Sample asked if there was any way to fix the problem of breakers blowing in the park during the Art Festival. Cross will fix this. Sample also continues to work on the internet question. She has had conversations with Representative Kirk Pearson's aide and with a company that does work in remote areas. There is a rumor that Verizon is going to be sold and the buyer is interested in working with small communities. Albert thanked her for staying after the internet question.

Hubbard apologized for missing last month's meeting due to illness.

Horst will provide music May 20<sup>th</sup> for a going away party for former resident Loni Rose. This will be in Fremont. He also asked if people leave things for him at his house that they use the side door rather than the front door. Albert asked him to give the town a current phone number.

The Planning Commission met and finalized the draft of the Critical Areas Element. They continue to work on the goals, policies, and strategies for that element, and hope to be done soon with the Plan so they can move on to working on ordinances. There is still a vacant seat and Albert said the continuation of the town relies on people stepping up.

Under the maintenance report, Cross said the hole in the water line along 2<sup>nd</sup> was repaired quickly and he doesn't know what caused it.

Spring Clean Up will be held May 22<sup>nd</sup> and will include a dumpster and a possible container for scrap metal. If no container is available the Town truck will be used. There will be no pick up of hazardous materials.

Albert presented the Animal Shelter Interlocal. An agreement is needed with the shelter as it gives the Town a better rate than if someone just walks in. Where possible under law the Town attempts to recoup the cost from the animal's owner. Gott moved to enter into the Animal Shelter Interlocal and with a second by Hubbard the motion carried.

Albert presented the Prison Crew Contract for inmate labor. Department of Corrections is phasing out through attrition the use of tools. The contractor will have to furnish them. He doesn't think the Town will want to come up with power tools for a crew so eventually that will have to be looked at. He expects this is because of funding issues. Hubbard moved to enter into the contract and with a second by Gott the motion carried.

Albert presented the Drug Task Force Interlocal. The Town has been involved in the program for over 25 years and pays on a per capita basis. The Interlocal has been at the Town hall for a month for Council review. Sgt. Martin asked if the Interlocal included one page with a corrected name. Stowe received that email and will make sure the corrected page is included. Gott moved to enter into the Drug Task Force Interlocal and with a second by Hubbard the motion carried.

The Department of Natural Resources has come out with a Determination of Non-Significance (DNS) regarding the SEPA for the Reiter Foothills. Peterson has three major concerns. First, at the meeting last fall representatives from DNR were asked about building official ORV trails in the Town watershed and critical aquifer recharge area. DNR used a map made several years ago by Snohomish County that was made, as the County admits, without a great deal of study. DNR said at the Council meeting that they were using that map when in effect their maps show ORV trails in the Town aquifer. The Town protested and DNR agreed to use GIS and go to the areas with a Town representative to clarify the area on the ground. That meeting has never happened. DNR issued this determination with no agency appeal meaning the Town cannot go back to them. Their current response to questions about the recharge boundary is that they defer people to the County. Peterson called DNR and was told they did not mean the Town when they said they defer people to the County, but in the legal world a person must go with what is in writing and the DNS does not exempt the Town.

The second issue is that the DNS states if there is a problem with the Town's water quality DNR will work on it. The Town has years of tracking and testing incredibly high quality water, and a problem could take up to a year after impact to be noticed in Town. This delay means the water most likely will

not be able to recuperate. There is nothing in the DNS on how to prevent impact, how to be proactive, or how to monitor to avoid impacts.

The third issue is the number of people using the site. It is reasonable to expect people to access the site from the Index side. DNR says their current use is projected to include 1,148 cars per day. Peterson questioned this number and found out it came from a speed count done on the SR2 access to Reiter Road that was done by the County. DNR has adopted this count even though it has nothing to do with their proposal, and they do not address how the number will impact Index.

What happens in a no-agency appeal is that the Town may have to go to court. Peterson is working with other agencies that have concerns such as the Sierra Club and the Pilchuck Audubon Society to see how this can be done. The Audubon Society went to Walker Valley, an area DNR has been promoting as an example of how the ORV system can work, and found incredible water degradation. The DNS is not adequate and these issues need to be addressed. Albert asked if the Town could appeal to the Department of Ecology. The Sierra Club doesn't think so but she is researching this. She believes she could go to Ecology on something like the traffic count but the Town may have to file in the Supreme Court.

Gott said he is comfortable with taking action and the water quality is the most important thing the Town has. Horst feels the same, values the water, and feels the Town should do all it can to keep this from happening. Hubbard thanked Peterson for all her work and discussed the types of streams and water flow in the recharge area. He also questioned the science used by DNR in their conclusions.

Peterson said the County admits they did not do studies for this area and DNR was told that so DNR is using a map no one will stand behind.

Woods said the Town should do whatever is needed to protect the water, and to figure out what the first step is and get started on it.

Peterson said it bothers her that DNR said in the meeting that they have never done anything in someone's watershed, and are basically using Index as a test. She said there may be cost issues and other agencies might be able to help but if Index doesn't do anything DNR will run over others and Index's water is spectacular and worth the work.

Albert proposed having Sample as Mayor Pro-Tem, along with Peterson and Stowe, research what needs to get done regarding appeal options for the three issues and then work on getting Peterson's notes into a formal letter of appeal. At a minimum it should go to DNR and Ecology. The Town has until May 15<sup>th</sup>.

Peterson updated the Council on the Hazard Mitigation Plan. Council members received a draft coupled with a resolution to update the Capital Improvement Plan. The Hazard Mitigation draft is just for review at this point. Peterson talked about this at the meeting last month, but a draft from the Town is needed by May 7<sup>th</sup>. Then all drafts will be consolidated into one that will come back to the Town for final review and adoption. Adoption of this plan helps the Town in being qualified to apply for grants and funds in an emergency. The Capital Improvement Plan needs to be updated annually anyway, and is needed as part of this Mitigation process.

Albert reminded the Council that the Mitigation Plan includes floods, wildfires, tsunamis, severe storms, and loss of services. Peterson said that while the Town focuses on floods, more people in a planning program are impacted by severe storms.

Horst asked if train derailment was considered and said it seemed like the Plan should have something in place. Peterson said there used to be one and the Town could put it back in even if the Department of Emergency Management didn't include it. She will add comments to the draft.

Hubbard moved to accept Resolution 10-03 updating the Capital Improvement Plan and with a second by Sample the motion carried.

Stowe thanked the AA group for mopping and cleaning the Old Fire Hall.

Stowe handed out a price quote from Rich Man Poor Man for purchasing a new computer. Sample would like to see some sort of backup service included. The Council agreed to move ahead with the purchase.

The septic tank in the park was recently pumped and at that time it was discovered that the bottom of the tank appears to have a void. While it is not leaking, eventually the tank will have to be replaced. Cross suggested adding that to the Capital Improvement Plan. Albert asked Cross to research what will be involved.

Stowe presented a letter from Snohomish County Council requesting support of a Transportation Benefit District. The letter included wording about imposing a non-voted vehicle fee. Gott does not like raising taxes without voting and Albert said the wording made him choke. He felt more information was needed and the letter was nebulous about costs and where costs would come from. Sample said the letter states the money would go for transportation projects but none are specified. Albert suggested requesting more information.

Stowe presented a request to support reform around hard rock mining. Albert clarified hard rock mining was underground mineral extraction as opposed to open pit mines or coal mines. He said no one seemed to care about this type of mining going on in third world countries. Resident David Cameron reminded the Council about cleaning going on for Sunset mine and Monte Cristo. He said there is powerful legislation behind this process. There was discussion around the clean up process, costs, and legislation. Hubbard said while he would like to see tweaking of the current laws, the request for support doesn't have anything concrete. Stowe will seek further information.

Stowe presented a price quote on purchasing dog poop bags, dispensers, posts, and hardware. Albert asked if just a dispenser could be purchased and then bolted to current posts at the park. Sample felt one should go in the park and something set up at the property line in the parking area by the Historical Society. She wondered if the Historical Society would share the cost.

A Special Events Checklist was presented for a Sierra Club Hike-a-Thon on July 10<sup>th</sup>. The group will gather in the park. The group has insurance. Gott moved to approve the Checklist with proof of insurance. Hubbard seconded the motion and with no further discussion it carried.

As there was no further business Horst moved to adjourn. Gott seconded the motion, and the meeting was adjourned at 8:45 pm.

Adopted by the Index Town Council this 7<sup>th</sup> day of June, 2010.

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

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