

**MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
Monday, January 26, 27, and 28, 2009**

Monday, January 26, 2009 - Council Hearing Room, Legislative Building, Friday Harbor

10:00 AM CALL TO ORDER – REGULAR STAFF MEETING AND WORK SESSION

Council Chair Peterson called the meeting to order at 10:00 a.m. Council members Howard (Howie) Rosenfeld, Gene Knapp, Bob Myhr, Lovel Pratt, and Richard Fralick; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerks, Lisa Brown and Maureen See; and interested members of the public were present.

10:10 AM CITIZEN ACCESS TIME: There were no public comments submitted.

10:15 AM CLERK UPDATE / ADMINISTRATIVE MATTERS (Commenced at 10:01 due to time constraints.)

Clerk Larson reported on the video streaming presentation that took place on January 22nd, 2009, noting that a 30 day free trial was available for streaming Council sessions and posting the Minutes with time-stamps to the on-line audio-visual presentation. She asked for Council feed-back and answered their questions regarding the program, including its cost, which is approximately \$4,800 per year. The possibility of using Skype for remote participation was also discussed. Ms. Larson noted that the idea would be to reduce Minutes to action-minutes with important details expanded. Mr. Peterson asked if the Council wanted to move ahead with the 30 day demo. Mr. Rose suggested working with Clerk Larson to determine what costs could be avoided in the current budget to determine a payment solution.

Ms. Larson requested clarification on the Islands Trust liaison and the following action took place: **Moved by Rosenfeld, seconded by Myhr, that Lovel Pratt serve as liaison to the Islands Trust Council. Motion carried unanimously.**

Agency leads were reviewed and the following action took place:

Moved by Rosenfeld, seconded by Myhr, that Ms. Pratt be appointed to the Northwest Agriculture Business Center. Motion carried unanimously.

Moved by Myhr, seconded by Fralick, to appoint Mr. Knapp to sit on the Law Library Committee. Motion carried unanimously.

Moved by Myhr, seconded by Rosenfeld, to appoint Mr. Knapp to sit on the Law and Justice Council. Motion carried unanimously.

Discussion regarding the necessity of having a Council liaison to the Department of Veteran Affairs was brought up and Deputy Clerk Brown offered to determine whether this is necessary now that SJC has an official Veterans' Advisory Board. Ms. Larson noted that the General Government Subcommittee would be meeting at 1:00 today and that the executive session scheduled for 2:50 p.m. tomorrow had been cancelled. The Council asked to leave that time available for possible carry-over on other issues being heard this week. She referenced the WSAC Legislative Rally agenda and Ms. Pratt inquired about scheduling additional meetings with legislators on the transportation committee. Mr. Rose suggested beginning with Senator Mary Margaret Haugen. Ms. Larson reported that the OPMA session with Pat Mason was confirmed for February 23, 2009, with sessions at 12:30 and 5:30 p.m.

Deputy Clerk See provided committee updates and explained that she is synthesizing a document to inform the Council on regulations pertaining to committee membership. She reviewed interview appointments scheduled, presented applicant information for several committees, and answered questions from the Council.

Council Minutes, agendas, and schedules were reviewed.

APPOINTMENTS

- 1.) Islands Trust Council Liaison, Ms. Pratt
 - 2.) Northwest Agriculture Business Center, Ms. Pratt
 - 3.) Law Library Committee, Mr. Knapp
 - 4.) Law and Justice Council, Mr. Knapp
- (Refer to Clerk Update/Administrative Matters, 10:15 a.m., for details of action taken on appointments 1-4.)
- 5.) Administrator Pro-tem, Mr. Henrickson (Refer to County Administrator Council Briefing, number 4, 11:00 a.m., for details of action taken.)

PERSONNEL

Affirmation of budgeted COLA for eligible unrepresented staff. (See County Administrator Council Briefing, number 5, 11:00 a.m., for details of action taken.)

COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS:

10:20 AM UPDATES / DISCUSSION ITEMS (Commenced at 10:41 a.m. due to time constraints.)

SJC Finance Committee: Mr. Peterson reported that one responsibility of the Chair of the SJC Council is to sit on the SJC Finance Committee, which also includes SJC Auditor, Milene Henley and SJC Treasurer, Jan Sears. He referenced minutes from their recent meeting, noting that Ms. Sears indicated concern regarding revenues and cash flow. Ms. Henley pointed out that cash flow impacts all County funds and Junior Taxing District funds. Council discussion took place.

Fireworks: Mr. Peterson reported on correspondence from Don Burkhart, Fireworks, LLC, filer of the referendum to overturn Ordinance 28-2008, banning fireworks in SJC. Council discussion took place and it was suggested that Mr. Burkhart be directed to approach Emergency Services regarding his concerns. Mr. Peterson sought Council concurrence to send a response to Mr. Burkhart and copy to Emergency Services. Mr. Rose suggested asking Emergency Services to review it at their next Chief's Association meeting and respond to the Council.

Council Retreat: Mr. Rose provided options for organization of the Council Retreat scheduled for February 2, 2009. Council discussion took place and it was decided that although the Council preferred not to have a formal facilitator, they would appreciate having Ms. Morais present to scribe and synthesize outcomes of their discussions and if that should become cumbersome to the flow it would be discussed during the process.

Budget Subcommittee: Mr. Myhr expressed interest in having detailed budget briefings so that the entire Council can stay apprised of the work of the Budget Subcommittee. Mr. Peterson inquired about including Mr. Rose and Ms. Henley on the committee. Mr. Rose offered to prepare an outline for a long-range budgeting review, through consultation with the Auditor. He explained that under the Charter he is the Budget Officer and the Auditor is the Finance Director. He also expressed concern about simultaneous meetings with the General Government subcommittee.

Ferries / Ferry Advisory Committee (FAC): Mr. Rosenfeld reported on overnight berthing of ferries, ferry construction, and the SJC Council response to the Washington State Ferries (WSF) Long Range Plan. He also brought forward a request from the FAC to have the Council remove the requirement that the SJC FAC follow the OPMA. He explained that all other FACs do not have this restrictive requirement which places the SJC FAC, the only FAC with a ferry dependent populous, at a disadvantage. Discussion regarding hiring a lobbyist also took place.

Legislative Priorities & Lobbying Efforts: Mr. Myhr distributed an outline regarding improving the fiscal health of Washington State Counties. He explained that Washington State Association of Counties (WSAC) is seeking funding sources and other solutions, such as removing non-supplant language, and reported on budget challenges other counties are facing.

Rules of Council Procedure: (Commenced at 11:50 a.m.) Council discussion took place regarding Council procedures and appropriate protocol for their meetings, public hearings, and quasi-judicial hearings.

COUNTY ADMINISTRATOR COUNCIL BRIEFING

11:00 AM COUNTY ADMINISTRATOR ITEMS (Commenced at 11:21 a.m. due to time constraints.)
Also present: George Johnson, Information Services Manager; Colin Maycock, Senior Planner, Community Development and Planning (CD&P); Pamela Morais, Human Resources Manager; Ron Henrickson, CD&P Director; and interested members of the public.

1.) Proposed Inter-local Agreement with Fire District No. 3 for Mutual Hosting of Data & Servers: Mr. Johnson reported on an agreement he is drafting for sharing data back-up with Fire District No. 3. He explained that this exchange of services could be done with equipment already owned by providing a redundant copy in another facility and would be of no cost to the Fire District or the County. He added that the Fire District #3 building is designed to withstand earthquakes and power outages and a logical place for back-up data storage.

2.) Housing Needs Assessment Update: Mr. Rose explained that an update to the Housing Element of the Comprehensive Plan is currently being considered by the Planning Commission. He said there are issues with the Town of Friday Harbor that he will be reviewing with them later this week. Mr. Maycock reported on outreach meetings held on Lopez, Orcas, and San Juan Islands, and past and upcoming Planning Commission meetings with the public hearing continued to February 20, 2009. He noted that both the citizens and the Planning Commission requested increased detail regarding economic and social factors/needs by island, and the Planning Commission also requested a wide variety of options be placed in the goals and policies for their review. Mr. Maycock and Mr. Henrickson answered questions from the Council regarding projections and plans. Mr. Henrickson expects that, after the Housing Element Plan is addressed by the Planning Commission, it will come before the Council in early March along with the Housing Needs Assessment. Ms. Larson stated she is working on setting up in a joint meeting with the Town of Friday Harbor in March.

3.) Eastsound Moratorium: Mr. Maycock provided an overview of the material regarding the Ordinances the Council would be hearing tomorrow and answered questions from the Council.

4.) Selection of Administrator Pro-tem: Mr. Rose explained that the Home Rule Charter requires the selection of an Administrator Pro-tem every other year and that Mr. Henrickson had served in this capacity for the past two years. After discussion, the following action took place:

Moved by Knapp, seconded by Myhr, to reappoint Ron Henrickson as Administrator Pro-tem for a period of two years. Motion carried unanimously.

5.) 2009 Cost-Of-Living Adjustment (COLA): Ms. Morais explained that in a normal year she would bring a proposal for unrepresented staff COLA as a formality even though it is included in the budget. She explained that this year the represented employees' contract AFSME [American Federation of State, County, and Municipal Employees, AFL-CIO] expired on December 31, 2008 and that they are currently in negotiations for their COLA, adding that she is bringing this proposal forward to cover unrepresented staff according to what was included in the 2009 budget.

Moved by Rosenfeld, seconded by Knapp, to affirm extending the 2% COLA to all eligible employees. Motion carried unanimously. Ms. Henley asked for a definition on eligible, concluding that it does include management and part-time employees.

12:30 PM SOLID WASTE COMMITTEE (SWAC) REPORT: (Commenced at 12:33 due to time constraints.) Present: Steve Alexander, George Post, SWAC Chair; SWAC members Bob Freeauf, Mike Macdonald, Carrie Latcher, Peter Risser, and Jack Yelverton; and interested members of the public.

Steve Alexander explained that Public Works Staff and SWAC would be presenting their recommendation today and that the public would have an opportunity for input in the future. He provided background information, including the State Environmental Policy Act (SEPA) review process and stated that Public Works is close to presenting the final environmental impact study (FEIS). He then introduced George Post, chair of the SWAC for the past two years and a member for over 20 years. Mr. Post presented the recommendation of the SWAC to locate the San Juan Island Transfer Station at the Beaverton Valley site and explained the reasoning behind this decision. Mr. Post answered questions from the Council. The Council thanked Mr. Post and the entire SWAC for their work.

1:00 PM **ADJOURN:** Moved by Knapp, seconded by Myhr, to adjourn the meeting to Tuesday, January 27, 2009, at 10:00 a.m. Motion carried unanimously.

Tuesday, January 27, 2009 - Council Hearing Room – Legislative Building, Friday Harbor

10:00 AM **CALL TO ORDER**

Council Chair Peterson called the meeting to order at 10:00 a.m. and the flag salute was conducted. Council Members Howard (Howie) Rosenfeld, Rich Peterson, Gene Knapp, Bob Myhr, Lovel Pratt and Richard Fralick; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerks, Lisa Brown and Maureen See; and interested members of the public were present.

CITIZEN ACCESS

Sharon Kivisto, *San Juan Islander*, addressed the Council on behalf of the public and media. She implored the Council to request that their advisory boards meet in the Council Hearing Room, as it was constructed to be conducive to hosting public meetings, complete with presentation technology and much more comfortable than other meeting locations.

Jack Cory, *Island Guardian*, stated that he agreed with Ms. Kivisto adding that a consistent location would make it easier for the public to locate and attend. He expressed concern over committees being trained regarding operating procedures and rules. He stated that he was “shocked and appalled” over the appointment of a VAB member on recommendation of its Chair, while never being brought before the VAB. He also commented on a friend who he had encouraged to apply for an Orcas Library Board opening that was told he need not apply because they had already made their selection.

Response: Mr. Rose stated that an outline for committee training was currently under review by the Prosecuting Attorney (PA), Randall Gaylord, and that he and Mr. Gaylord would be conducting training beginning in March.

10:15 AM **COUNCIL ADMINISTRATIVE MATTERS**

Moved by Rosenfeld, seconded by Myhr, to approve the **Minutes of January 12 and 13, 2009**. Motion carried unanimously.

Moved by Rosenfeld, seconded by Myhr, to approve the **Final Consent Agenda of January 27, 2009** as follows:

A. Resolutions/Ordinances:

1. A Resolution Accepting One Easement for Shorett Drive, County Road Number 32, Right-of-Way

B. Contracts/Agreements:

1. Contract with True Automation for PACS 9.0 Software for Treasurer and Assessor and Personal Services for Conversion from Compu-Tech Software
2. Interlocal Cooperative Purchasing Agreement with Pend Oreille County

C. Budget Items: Approve 2008 Warrants signed by Auditor and County Administrator:

- Warrant #56144 – 56263 County Claims in the amount of \$62,705.09
- Warrant #56286 – 56314 Public Works Claims in the amount of \$21,703.77

Inter-fund Transfer Approval for the Month of December 2008

- Warrant #56614 – 56740 County Claims in the amount of \$114,482.22
- Warrant #56781 Public Works Claim in the amount of \$6,465.16
- Warrant #56782 – 56833 Public Works Claims in the amount of \$49,219.87
- Warrant #56834 – 56867 Medical Reimbursement Claims in the amount of \$7,667.72

Approve 2009 Warrants signed by Auditor and County Administrator:

- Warrant #56264 – 56283 County Claims in the amount of \$36,605.80
- Warrant #56315 – 56326 Public Works Claims in the amount of \$31,032.94
- Electronic Funds Transfer #01072009 for Public Works claim in the amount of \$5,342.20
- Warrant #56741 – 56780 County Claims in the amount of \$47,492.96

- Warrant #56869 – 56882 Public Works Claims in the amount of \$14,644.90
- Warrant #56868 Veteran's Assistance Claim in the amount of \$600.00

D. Personnel: (No items.)

E. Appointments: A letter reappointing Howard "Howie" Rosenfeld to the SJC Ferry Advisory Committee beginning immediately with the term expiring December 31, 2009.

F. Correspondence: (No items.)

G. Miscellaneous: (No items.)

H. Bid Openings: (No items.)

Motion carried unanimously. Mr. Rose noted that the contract for True Automation for Assessor and Treasurer software was included on this Consent Agenda and is expected to be installed this fall.

ORDINANCES/RESOLUTIONS:

ORD. NO. 2-2009- (Refer to PUBLIC HEARINGS, 11:00 a.m., for details of action taken.)

ORD. NO. 3-2009- (Refer to PUBLIC HEARINGS, 11:40 a.m., for details of action taken.)

ORD. NO. 4-2009- (Refer to PUBLIC HEARINGS, 10:30 a.m., for details of action taken.)

DISCUSSION/UPDATES/OTHER ACTION ITEMS:

10:20 AM COUNCIL MEMBER UPDATES (Commenced at 10:16, due to time constraints.)

Ferries: Mr. Rosenfeld reported on legislation currently being introduced, allowing bidding nationally for ferries [construction], that the Council may want to consider supporting. He noted that it was limited to up to 100 vehicle capacity ferries so as not to interfere with litigation involving 144 car ferry construction. He also brought a message from Rob DeGavre, Ferry Advisory Committee (FAC) member, who pointed out that the Sidney/San Juan Islands/Anacortes ferry that services Sidney in the summer, provides 80 percent of its service to San Juan Island (SJI), so calling it the Sidney Ferry minimizes its importance and level of service to San Juan and Orcas.

General Government Subcommittee (GGS): Mr. Knapp distributed notes for the upcoming GGS meeting. Mr. Peterson pointed out that the FAC had requested consideration to be more agile in their meetings, allowing for impromptu communications. Discussion followed regarding instances in which this would be necessary and the benefit it would serve to SJC, which is dependent on ferries. Mr. Rosenfeld stated that the FAC didn't want to be excused from noticing, but requires the same ability to function as other FACs, but Charter Rule prevents this. Mr. Peterson suggested discussing this with Mr. Gaylord, PA, in the afternoon. **[Continued at 2:50 PM.]** Regarding the Ferry Rally in Olympia on February 18, 2009, Mr. Rosenfeld inquired about developing a strategy of approach, adding that this session could extend into a protracted period. He suggested a letter writing campaign or petition, as opposed to Lobbying. Ms. Pratt stated that she would be in Olympia that evening for a meeting the next morning and would leave earlier to attend the rally if it wouldn't be a problem to miss the Board of Health meeting that day. She also asked about the process of starting a petition. Mr. Myhr said it was a very important and successful undertaking by Louise Dustrude and Ann Sheridan, garnering over 3,000 signatures. Ms. Pratt offered to look into this. Mr. Rosenfeld noted that a promotional video demonstrating the importance of ferries to the San Juan Islands is being filmed and narrated with a script from Claudia and Mike Macdonald, *At Home* magazine, and a professional crew that should produce a quality DVD that could be sent to our representatives.

Council Retreat: Mr. Knapp commented favorably on Mr. Myhr's suggestion to review the summaries of the past two retreats.

Puget Sound Partnership (PSP) Conference Call: Mr. Fralick reported that a conference call, to discuss the proposed bill relating to PSP funding and organization, was scheduled for tomorrow. Council members Myhr, Rosenfeld, and Pratt also expressed interest in participating in the call. Mr. Gaylord suggested instead of adjourning the meeting today to recess until a time-specific tomorrow to allow Council participation in the teleconference.

11:40 AM DISCUSSION: Request for Lodging Tax Advisory Council (LTAC) Funding
(Commenced at 11:50 AM due to time constraints.)

Mr. Rose noted that during budget deliberations the Council questioned whether Lodging Tax money was suitable to make up some deficiencies in his recommended reductions in park services to Shark Reef and Eastsound Village Green restrooms, and seasonal port-a-potties in two parks on SJI. He reported that, following statute, a grant for up to \$25,000 from LTAC, to provide this restroom service, had been submitted and that LTAC voted unanimously to approve that request, provided no other funding source was identified. Dona Wuthnow, Parks Director, was present and answered questions from the Council. Mr. Knapp mentioned that Ed Sutton suggested Eastsound Sewer and Water District (ESWD) maintain the Eastsound Village Green restrooms. Mr. Peterson said that Mike Stolmeier, who is on the LTAC and the ESWD was unaware of this suggestion. Mr. Fralick inquired if the lodging tax amount would be reduced if this did occur. Mr. Rose said that it would and the following action took place:

Moved by Myhr, seconded by Knapp, to approve the request of Parks Department and recommendation of the LTAC to use lodging tax money to fund operations of restrooms for 2009. Motion carried unanimously.

2:00 PM **DISCUSSION: MRC Quarterly Progress Report & 2009 Work Plan** (Commenced at 2:10 PM due to time constraints.) Present: Mary Knackstedt, MRC Coordinator; Kit Rawson, MRC Chair; Barbara Rosenkotter, Lead Entity Coordinator; MRC Members Laura Arnold, Mike Kaill, Barbara Merit, David Lloyd, Ron Henrickson, Jim Slocomb, Ken Sebens, Kim Sundberg; Susan Keith, San Juan Conservation District Manager; and interested staff and members of the community.

Mr. Rawson introduced Ms. Knackstedt and welcomed Ms. Pratt and Mr. Fralick to the Council. He reported on a Salmon Workshop at the labs that included a recovery team of regional scientists, members of the MRC, and local researchers conducting studies to learn how salmon use the marine habitat in the Puget Sound. He presented the MRC's 2008 Annual Report and Work Plan for 2009 for approval. He reported on outreach done to foster a stewardship ethic in visitors, science - including research and studies, policy advice, funding, and staffing. Mr. Rawson answered questions from the Council and introduced other members of the MRC and salmon research community present and the following action took place:

Moved by Fralick, seconded by Myhr, to approve the 2009 Work Plan of the MRC. Motion carried unanimously.

2:30 PM **DISCUSSION: SJC Pollution Prevention Program** (Commenced at 2:42 due to time constraints.) Present: Brian Rader, SJC Pollution Prevention Specialist, and interested members of the public.

Mr. Rader, provided an overview of the SJC Pollution Prevention Program and stated the purpose of the program, which is to get local environmental professionals out in their community talking with local businesses, and small quantity generators of hazardous waste, about how they interact with potentially harmful materials. He also acknowledged the great work of Helen Venada, Hazardous Waste Coordinator, in collection of hazardous waste. He reviewed successes and challenges and goals for the future, provided a PowerPoint presentation, and answered questions from the Council.

2:50 PM **DISCUSSION: Continuation of General Government discussion**

Open Public Meetings Act (OPMA) and FAC: Council discussion took place regarding determining a way to make an allowance for the FAC to participate in timely matters without violating their rules. Mr. Gaylord presented options and answered questions from the Council. Mr. Rosenfeld suggested possibly using a public format to transmit e-mail messages. George Johnson, Jack Cory, Sharon Kivisto, and Mr. Rose also participated in the conversation. Mr. Peterson suggested seeking input from Pat Mason, Municipal Research Services Center Legal Consultant, who will be conducting a workshop in the Council Hearing room on February 23, 2009.

Code Enforcement Draft: Mr. Gaylord referenced a code enforcement discussion draft recommended by the GG subcommittee which included a summary of various provisions and approaches for Council review. Council discussion took place. Mr. Cory weighed in on this conversation as well.

Council Chair Responsibilities: Mr. Peterson reviewed public hearing protocol with the Council and Mr. Gaylord.

COUNTY ADMINISTRATOR COUNCIL BRIEFING

1:30 PM **COUNTY ADMINISTRATOR ITEMS:** Also present: Milene Henley, SJC Auditor

1.) 2010 Budget & Budget Study Discussion: Mr. Rose explained that the budget passed by the Council reflects a different level of service than was shown in the five year forecast tool used by the Auditor during the last budget process, noting that the items added back into the budget reduced the ending fund balance. He suggested beginning to look at the 2010 budget by using this forecast to understand the impact of those changes, adding that this long-term review helps to stay in line with budget assumption parameters and the budget committee should plan to spend time this year studying a sustainable budget and how to problem solve by thinking in terms of outcomes. Ms. Henley provided a review of her fall presentation, using a strategic planning model which demonstrated the future effects of budget decisions made today. She presented the “business as usual” model, the “financial planning” model, and the “adopted budget,” demonstrating various outcomes over time of changes made to each model. Ms. Henley answered questions from the Council and the following action took place:

Moved by Rosenfeld, seconded by Pratt, that SJC require that the administrative fee be taken on all grant applications and grant award contracts that allow it. Motion carried unanimously.

2.) Safety Committee Background & Briefing: Adina Cunningham, Deputy Director. Mr. Rose reported that this briefing would not be taking place today, as Ms. Cunningham was absent due to illness.

3.) Eastsound GMA Hearing Board Decision Update: Ron Henrickson, CD&P Director. Mr. Rose reported that this report would not be taking place due to a delay in behalf of the GMA Hearings Board.

PUBLIC HEARINGS

10:30 AM **PUBLIC HEARING:** (Commenced at 10:34 due to time constraints.) A public hearing was held to consider an Ordinance amending fees for services provided by the San Juan Community Development & Planning Department. Present: Full Council; County Administrator (CA), Pete Rose; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown; Ron Henrickson, CD&P Director; Rene Beliveau, CD&P Deputy Director; and interested members of the public.

Mr. Henrickson presented his Staff Report and provided background information to the Council. He noted that there were items requiring clarity in fee Ordinance 54-2008, adopted in December of 2008 and that those would be addressed with the Ordinance currently before the Council. Mr. Henrickson and Mr. Beliveau answered questions from the Council regarding fees, permits, enforcement, and requirements. Public testimony was opened, submitted by four individuals and closed, with the right to reopen should it become necessary. Mr. Henrickson, Mr. Beliveau, and Mr. Gaylord answered additional questions from the Council. Deliberations were held and the following action took place:

Moved by Fralick, seconded by Rosenfeld, to approve the Ordinance amending fees for services provided by CD&P and direct them to return to the Council to address the other issues at a later date. Mr. Knapp inquired when the Council could expect to hear back from CD&P and Mr. Henrickson said three weeks. **Mr. Fralick amended his motion to include the three week timeframe and it was accepted by Rosenfeld. Motion carried unanimously.**

11:00 AM **PUBLIC HEARING:** (Commenced at 11:23 due to time constraints.) A public hearing was held to consider repealing Ordinance 3-2004 and consideration of an Ordinance establishing a moratorium on subdivisions within the Country Corner LAMIRD. Present: Full Council; County Administrator (CA), Pete Rose; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown; Colin Maycock, Senior Planner; and interested members of the public.

Mr. Maycock presented his Staff Report and explained issues stemming from the moratorium established by Ordinance 3-2004, and the subsequent UGA boundary adjustment. He referenced these areas for the Council on a map projection, explaining that specified parcels outside the UGA either need to be rezoned to rural densities, or the LAMIRD study needed to move forward, so urban densities are not developed until the planning process is complete. He stated this study is expected to be done by June of this year and requested a six month moratorium in that area for this purpose. Mr. Maycock answered questions from the Council. Public testimony was opened, submitted by Stephanie O'Day, and closed with the right to reopen should it become necessary. Mr. Rose provided some insight on Ms. O'Day's remarks regarding possible reasons the moratorium continued without six month work plan reviews and assured the Council that this would be corrected in the future. Deliberations were held and the following action took place:

Moved by Rosenfeld [to adopt an ordinance] to establish a moratorium on subdivisions to parcels to smaller than 5 acres in the Country Corner LAMIRD area for no more than six months. Mr. Knapp said he would amend the motion to include final action on land designation within six months, seconding the motion. Mr. Rosenfeld accepted the friendly amendment. Council discussion took place. Mr. Myhr indicated that there may be circumstances that could require an extension beyond six months; and Mr. Rose said that, if not, it might become more of a staff-driven versus citizen driven plan. **Motion carried unanimously.**

Moved by Myhr, seconded by Rosenfeld, to repeal Ordinance 3-2004. Motion carried unanimously.

11:40 AM PUBLIC HEARING (Commenced at 11:46 due to time constraints.) A public hearing was held to consider an Ordinance rezoning parcels outside the Eastsound UGA to Eastsound Rural Residential 1 in 5. Present: Full Council; County Administrator (CA), Pete Rose; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown; Colin Maycock, Senior Planner; and interested members of the public.

Mr. Maycock explained that two subdivisions that were inside UGA boundary established in 2000, were removed in 2005, but retained their non-rural density designations and requested approval for rural zoning. He explained that this zoning wouldn't preclude those parcels from being built on, but would preclude the owner from subdividing further. Mr. Maycock answered questions from the Council. Public testimony was opened, none submitted, and closed. Deliberations were held and the following action took place:

Moved by Myhr, seconded by Rosenfeld, [to adopt an ordinance] to rezone the parcels identified in Exhibit 1, to Eastsound Rural Residential to a density of one unit in five acres. Motion carried unanimously.

3:45 PM RECESS: (Commenced at 4:35 due to time constraints.)

Moved by Fralick, seconded by Rosenfeld, to recess the meeting until tomorrow at 2:00 p.m., in the Council Hearing Room, for the sole purpose of participating in the Puget Sound Partnership conference call and to allow Council members to participate by teleconferencing. Mr. Peterson noted that he would not be available to participate and that Mr. Fralick would be conducting the remainder of the meeting. **Mr. Fralick amended his motion to include that the meeting would be adjourned following the PSP conference call. Mr. Rosenfeld accepted the amendment and the motion carried unanimously.**

Wednesday, January 28, 2009 - Council Hearing Room, Legislative Building, Friday Harbor

2:00 PM CALL TO ORDER

Council Chair Peterson called the special meeting to order at 2:00 p.m. Council members Rosenfeld, Pratt, Peterson, Myhr (telephonically), and Fralick (telephonically); Clerk to the Council, Ann Larson; Deputy Clerk, Lisa Brown; and interested members of the public were present.

ADJOURNMENT: The meeting adjourned at 2:43 p.m. [See motion to adjourn following the Tuesday, January 27, 2009, session.] A Council Retreat was scheduled for Monday, February 2, 2009, and the next Regular Tuesday Meeting was scheduled for Tuesday, February 3, 2009.

These Minutes were approved and signed on Tuesday, February, 2009. The original document is retained in the Council's permanent proceedings file. Attest: Lisa J. Brown, Deputy Clerk.