

**MEETING MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
February 23 and 24, 2009**

**Monday, February 23, 2009 - Legislative Hearing Room, 55 Second Street, Friday Harbor, WA**

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

Council Chair Peterson called the staff 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.

**10:15 AM CLERK UPDATE & ADMINISTRATIVE MATTERS: (Commenced at 10:00 a.m.)** Present: Ann Larson, Clerk to the Council; and Maureen See, Deputy Clerk.

**Ms. Larson** referenced the letter to Senator Mary Margaret Haugen and the Washington Senate Transportation Committee regarding Senate Bill 5836, which could potentially limit local authority regarding land use processes for San Juan and Jefferson Counties. **The letter was discussed and edited by the Council and they agreed by consensus to send the letter.**

**Ms. See** reported that she would be including all committee information in Council binders in the future to allow time for reviewing applicant materials prior to the meetings. She provided an update on committees, advertising, term expirations, and applicants and provided an outline of the various committees. Mr. Myhr asked for information on MRC applicants so that a decision could be made this week.

**Calendar items, Minutes, and Agendas** were discussed. Mr. Peterson asked to remove the log splitter item from Consent for discussion on Tuesday to provide information to the public. Mr. Myhr asked for the Interlocal regarding dispatch services to also be removed and requested more information regarding this.

**10:25 AM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS: (Commenced at 10:32 a.m.)**

**1.) Washington State Ferries (WSF) / Ferry Advisory Committee (FAC): Ed Sutton** reported on the Transportation Commission hearing he attended, noting that WSF is considering a 6% per year fare increase, plus a fuel surcharge, and a super summer surcharge to close the funding gap in operations. Speaking for himself in a meeting with Senator Haugen, he suggested a buy-down credit to which she reportedly noted that SJC is already contributing to, in a way, through the diversion of the Capron nickel tax. He also reported on other comments made by Senator Haugen that he later confirmed with David Moseley, Director of Washington State Ferries, by e-mail, including that the Anacortes/San Juan Islands/Sidney Ferry is safe for the time being. Mr. Sutton reported that Senator Haugen expressed a willingness to amend a Bill so as not to discontinue FACs from the RCW and was interested in the model established by SJC where the FAC reports to the Council rather than directly to the State. **Mr. Rosenfeld** reported on his meeting in Olympia on February 13, 2009, stating there was a lack of interest regarding WSF as an economic driver for the State and that Josh Brown, Chairman of the Coastal Counties Caucus (CCC), who was supportive of an economic impact analysis in the past, said it was no longer a priority of the CCC, based entirely on feedback he had received from cities in Kitsap County, where he is also a Councilmember. Mr. Rosenfeld also reported that Washington State Representative, Jan Angel, introduced a Bill to rename WSF to the WS Marine Highway System. He referenced the WSF DVD, produced by Mike Macdonald, that he had distributed, and inquired about its use as a lobbying tool. Council discussion took place regarding this.

**2.) Budget Subcommittee: Mr. Fralick** provided a summary of their meeting and a committee work plan outline. He asked his colleagues to review the plan and provide feedback.

**3.) Legislative Priorities & Lobbying Efforts: Ms. Pratt** provided a written report regarding her participation at the Ferry Rally and on February 18, and the WSAC Legislative Steering Committee and Coastal Counties Caucus meetings on February 19, 2009. Council discussion took place regarding this and communicating with legislators through tele-conferencing. **Mr. Myhr** reported on issues he had attended to on Lopez. The first was related to crab pots in Fisherman Bay, which he explained were put in by native crabbers trying to get their crabbing limits in

now so that they don't compete with sport crabbers in their season. He also expressed concern about an EIS statement regarding Whidbey Island Naval Station jets. Council discussion took place regarding this. Mr. Myhr suggested inviting the Naval Commander to inform SJC of their plans on how they intend to address this.

**4.) Cell Phone Task Force: Mr. Peterson** reported that the task force would be meeting on Thursday, February 26, 2009, at 11:30 a.m. Mr. Rosenfeld inquired about getting a meter to test the radiation being put out by the antenna on Second Street.

**5.) General Government Subcommittee: Mr. Knapp** reported that the subcommittee would be meeting today to review several ordinances. He also referenced a memo from his son, who works for Google, regarding a video conferencing program that is available at no cost.

**11:15 AM COUNTY ADMINISTRATOR ITEMS:** (Commenced at 10:58 a.m. due to time constraints.) Pete Rose, County Administrator (CA); George Johnson, Information Services Manager; and Tom Cable, San Juan Hospital District Co-Chair; and interested members of the public were present.

**1.) Inter-local Agreement with Fire District 3:** Mr. Johnson, reviewed the data management proposal presented to the Council on January 26, 2009, and brought forward the Inter-local agreement, which was signed and ready for Council adoption. Mr. Johnson answered questions from the Council and Mr. Peterson said the agreement would be on the Consent Agenda for tomorrow.

**2.) Video-conferencing Report & Update:** Mr. Johnson noted that video-conferencing and video-streaming were among Council core initiatives last year and that he found a company that offered a video-streaming service linking agenda items to video segments at a reasonable price of \$375 per month – one tenth of the cost of Granicus, a similar product under consideration in the past. He explained the program, which is being implemented on a free trial basis, and answered questions from the Council, noting that this is a precursor to video-conferencing. Discussion also took place regarding live-streaming; remote participation; benefits to the Council, County Departments, and Advisory Bodies; and other locations currently equipped for this capability, and the Council requested cost information on video-conferencing.

**3.) Briefing from San Juan Hospital District on the Proposed PeaceHealth Agreement:** Mr. Cable provided background information on healthcare in the islands, the need for an Integrated Medical Center, and what PeaceHealth is offering to the residents and visitors of the San Juan Islands in the way of a state-of-the-art medical facility, quality expanded care, funding, and oversight. Mr. Cable answered questions from the Council and Mr. Rose, noting that PeaceHealth was started by Sisters of the St. Joseph Catholic Order 100 years ago in Bellingham, WA, and now is a totally independent 501(c)3, not affiliated with the Catholic Church, except that many Sisters of St. Joseph are still involved. He also explained that as an Integrated Medical Center, the facility would be eligible to receive higher Medicare and Medicaid allowances on services provided.

**12:30 PM DISCUSSION:** Open Public Meetings Act Joint Work Session Co-sponsored by the Town of Friday Harbor. Present: Pat Mason, MRSC Senior Legal Consultant; available Friday Harbor Town Council members; King Fitch, Administrator, Town of Friday Harbor; Don Eaton, Town Attorney; available Advisory Body members; and interested members of the public.

Mr. Mason provided a PowerPoint presentation and thorough review of the Open Public Meetings Act, Public Records Disclosure, The Appearance of Fairness Doctrine, and Conflicts and Ethics, and answered questions from those in attendance.

**2:30 PM ADJOURN:** Council Chair Peterson adjourned the meeting at 2:26 p.m.

**Tuesday, February 24, 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, Gene Knapp, Bob Myhr, Lovel Pratt and Richard Fralick; County

5/23/2016

17:32:07 PM

Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerks, Lisa Brown and Maureen See; and interested members of the public were present.

**10:15 AM COUNCIL ADMINISTRATIVE MATTERS** (Commenced at 10:00 a.m. due to time constraints.)

**Minutes:** Moved by Fralick, seconded by Myhr, to adopt the **Minutes of January February 9 and 10, 2009**. Motion carried unanimously.

**Consent Agenda:** Moved by Rosenfeld, seconded by Knapp, to approve the **Consent Agenda of February 24, 2009**, as follows:

**A. Resolutions / Ordinances:**

1. A Resolution Increasing Petty Cash Fund For Orcas Island Recreation Program Office

**B. Contracts/Agreements:**

1. Inter-local Agreement for Cooperative Data Services with Fire District #3

**C. Budget Items:** Approve 2009 Warrants signed by Auditor and County Administrator:

- Warrants #57875-57928 in amount of \$40,575.20 for Public Works
- Warrants #57814-57874 in amount of \$116,331.38 for County Claims
- Warrants #57987-57988 in amount of \$1,997.75 for Veteran's Assistance
- Warrants #58176-58314 in amount of \$180,864.11 for County Claims
- Warrant #58315 in amount of \$5,357.83 for Public Works Excise
- Warrants #58316-58357 in amount of \$89,859.82 for Public Works
- San Juan County Payroll Approval for the period ending January 23, 2009

**D. Personnel:** (No items.)

**E. Appointments:** (No items.)

**F. Correspondence:** (No items.)

**G. Miscellaneous:** (No items.)

**H. Bid Openings:** (No items.)

**Motion carried unanimously.**

**Review of Items Removed from the Consent Agenda:**

**1.) Interlocal Agreement for Dispatch Services:** Sheriff Cumming reviewed the dispatch operations and the agencies involved, how they respond, the percentage splits, and the basis under which the terms of the agreement were reached. Sheriff Cumming answered questions from the Council and the following action took place:

**Moved by Rosenfeld, seconded by Knapp to adopt the Interlocal Agreement between SJC and the Town of Friday Harbor for Dispatch Services. Motion carried unanimously.**

Mr. Myhr noted that the agreement stated it was for a two year period. Mr. Cumming said it had always been a one year contract and should be changed. The following action then took place:

**Moved by Myhr, seconded by Knapp, to rescind the action taken on the Interlocal between SJC and the Town of Friday Harbor for Dispatch Services. Motion carried unanimously.**

**2.) Inter-Governmental Agreement for Law Enforcement:** Mr. Myhr noted that there were no questions on this agreement and the following action was taken:

**Moved by Rosenfeld, seconded by Fralick, to adopt the Inter-Governmental Agreement for Law Enforcement: Motion carried unanimously.**

**3) Parks Department Log Splitter:** Dona Wuthnow, SJC Parks Director, explained that the log-splitter is not used to compete with private parties for the sale of firewood, but that it is used to split wood to make available to SJC Park patrons and the current equipment is no longer functioning. She explained that the County also

purchases firewood and that parties that wish to sell firewood to the County need to register as official vendors. Ms. Wuthnow answered questions from the Council and the following action took place:

**Moved by Rosenfeld, seconded by Myhr, to approve the Parks Department's acquisition of a Log Splitter. Motion carried unanimously.**

**COUNCIL MEMBER UPDATES:**

**MRC Committee Appointment:** Mr. Myhr inquired about appointments to the MRC. Mr. Peterson noted that there were three applicants for one position and inquired about an interview committee. **The Council concurred that Myhr, Knapp, and Fralick would conduct the interviews.**

**BOH Temporary Appointment:** (Commenced at 2:00 p.m.) Ms. Pratt requested a replacement for the Board of Health meeting scheduled for March 18, 2009, due to a conflict in her schedule, requiring her to be in Olympia on that date. After Council discussion, the following action took place: **Moved by Myhr, seconded by Rosenfeld, to appoint Mr. Knapp to replace Ms. Pratt on the Board of Health for the Meeting of March 18, 2009. Motion carried unanimously.**

**10:20 AM DISCUSSION: Senior Services Update.** Present: Joyce Rupp, Community Services Manager. (Commenced at 10:26 a.m. due to time constraints.)

Ms. Rupp began by addressing impacts resulting in her department related to County budget reductions, noting that the staffing reduction of 1.25 FTE was distributed equally department-wide, and that each office was closed one day per week. She reported on the meal programs, which are gaining in attendance, upgrades to Woodman Hall and details on its acquisition and ownership, funding, and the services the Senior Services Department provides, which she noted are requiring more careful time in this poor economic climate. Ms. Rupp answered questions from the Council.

**10:40 AM DISCUSSION: Planning Commission (PC) Work Plan.** Present: Bob Gamble, PC Chair; PC Members, Barbara Thomas, Karin Agosta, and Susan Dehlendorf; Linda Guernsey, Long Range Planning Assistant; Ron Henrickson, Community Development & Planning (CD&P) Director; Shireene Hale, Senior Planner; and interested members of the public.

Mr. Gamble introduced Planning Commission members present and stressed the importance of maintaining experienced staff, which is critical to ensure that proper procedures are carried out by the Planning Commission, established under State Law. Mr. Gamble explained that the PC reviews criteria on many Timber Open Space, Open Open Space, and Agriculture Open Space applications and makes the recommendation to go forward to the Council. He expressed concern regarding enforcement and monitoring of these actions, as benefit ratings have been assigned and tax revenues reduced, and urged the Council to consider this. He also inquired about refining criteria and language for Open Open Space applications as soon as possible and gave examples of how the current definitions could skew outcomes. Mr. Gamble and Ms. Hale answered questions from the Council. The Council agreed by consensus to the Work Plan of the PC.

**11:00 AM CLOSED SESSION: Labor Contract Negotiations** pursuant to RCW 42.30.140 (4) – Pamela Present: Morais, Human Resource Manager. (Commenced at 11:06 due to time constraints.)

Council Chair Peterson announced that the Council would be holding a **closed session** estimated to last approximately 30 minutes, to discuss labor contract negotiations pursuant to the provisions of RCW 42.30.140(4)(b). Participants: Pamela Morais, Human Resources Manager. The session ended at 11:30 a.m. for an actual session time of 24 minutes. No action was taken.

**11:30 AM RECESS FOR LUNCH & FIELD TRIP:** Experience Food Project (EFP), Friday Harbor High School & King Sisters' Property Tour. Present: Tom French, EFP Director; Michael Soltman, SJI School District Superintendent; Eliza Buck, ARC Coordinator; Bruce Gregory, ARC Chair; Candice Jagel, WSU Agriculture Program Director; Tom Pence, Planning Commission; Rob Waldron, Farmer; Eliza Habegger, SJC Land Steward, Lincoln Bormann, Land Bank Director; Doug McCutchen, SJC Preserve Steward; and Pete Rose, County Administrator.

The Council, Staff, and agriculture representatives selected entrees in the Friday Harbor High School (FHHS) lunch-line and enjoyed a lunch prepared by Mr. French, under the pilot program EFP K-12 program offered at FHHS, while Mr. French explained the impetus, goals, and future plans for the program. He reviewed the educational and health benefits of the program to the students and the economic benefits to the school district and San Juan County. Following lunch, the group met at the King Sisters' property where Mr. Bormann and Ms. Habegger explained the land-lease program and the lease arrangement with Rob Waldron, who would be using the property for grazing livestock and growing hay. Mr. Bormann noted that the grazing would be a more intense use and pointed out that one half acre would be designated for market crop. Ms. Buck provided a history of ownership of the property. The Council took a short tour and Ms. Habegger pointed out a trail and rest area that would be developed for public access.

**1:30 PM COUNTY ADMINISTRATOR ITEMS: Pete Rose, County Administrator.**

**1.) Islands Trust Council (ITC) Meetings, 2009:** Mr. Rose reported that ITC had two dates available this year for Council interaction, June 17-19, 2009, on N Pender Island; and September 19, 2009, on Mayne Island; and also asked the Council to consider when they would like to host ITC representatives in SJC. Council discussion took place and it was decided that the SJCC would travel to N. Pender Island on June 18 and 19, and determine a date to invite ITC representatives to SJC after the EPA Grant schedule was finalized. Agenda topics were discussed and Ms. Pratt offered to coordinate the upcoming meetings with the ITC and Clerk Larson.

**2.) Post Retreat Report:** (Commenced at 1:41 p.m.) Mr. Rose referenced a draft of the 2009 Council Priorities for 2009, noting that he would be requesting feedback from department heads on a draft schedule and work plan that he would bring before the Council in two weeks. He also questioned whether the Council wanted to prioritize the third tier priorities. Council discussion took place and it was decided that protecting natural open space and government efficiency, both in the third tier, were more value- and mission-based than action-based and should be placed as overarching objectives, but that the remainder would remain there and not need prioritizing.

**3.) Request pertaining to the Mitchell Bay Landing Report:** Mr. Rose reported that legal council for one party made a request to address the Council during this segment today at 3:00 p.m. and advised the Council against this, due to the fact that the other parties would not have fair notice to participate.

**2:00 PM PUBLIC HEARING: A Resolution to Lease the King Sisters property for Agricultural Use.**  
Present: Full Council; Pete Rose, CA; Ann Larson, Council Clerk; Lisa Brown, Public Hearings Specialist; Eliza Habegger, SJC Land Steward; Lincoln Bormann, Land Bank Director; Rob Waldron, Lessee; Eliza Buck, ARC Coordinator; and interested members of the public.

Ms. Pratt disclosed she has known Mr. Waldron for many years and has had conversations about this lease and the concept of agricultural land leases in the past. Ms. Pratt stated she felt she could participate in this matter impartially and asked those present if there were any objections to her participation. Mr. Peterson, after hearing no objections, permitted Ms. Pratt to remain and participate in the hearing.

Mr. Bormann presented the Resolution to the Council recommending approval. He referenced his staff report indicating that the Land Bank acquired this property with the goal of continued agricultural use. He explained that Eliza Habegger and the ARC put together the lease and explained the process used to determine the rate and terms. Mr. Bormann and Ms. Habegger answered questions from the Council. Ms. Pratt suggested, for future leases, the concept of a longer term, allowing the farmer to use the lease as collateral for a loan to establish infrastructure. Escape clauses related to terms were also discussed. Public testimony was opened, submitted by Elliza Buck, who commended the Council and Land Bank for moving forward with this intriguing model for preserving farmland, and closed. Mr. Knapp commented that this is a bold pioneering step for SJC and congratulated Mr. Bormann on moving ahead with this concept that may reap great rewards in agriculture for the County in the future. Mr. Myhr concurred and made the following motion:

**Moved by Myhr, seconded by Knapp, to approve the Resolution to Lease the King Sisters property for Agricultural Use. Motion carried unanimously.**

**2:20 PM           DISCUSSION: A Resolution to Accept a Conservation Easement Deed on Heritage Farm, SJI.** Present: Lincoln Bormann, Land Bank Director.

Ms. Pratt disclosed that the property in question is across the road but not adjacent to the property that is in her mother-in-law's estate where she lives. She then asked if anyone objected to her participation. There were no objections and Mr. Myhr commented that as long as the Council has no direct financial impact, he felt it was alright to participate, but appreciated Ms. Pratt's disclosure.

Mr. Bormann presented the Resolution explaining that it is an amendment to an existing conservation easement which was put in place several years ago. He pointed out the easement on a projection of the map, indicating the line that green houses would need to remain behind. Mr. Bormann answered questions from the Council stating that aesthetics are an important element, but sometimes when trying to maintain agriculture there has to be a trade-off. He noted that the approved greenhouses were of the hoop-house design; and were de-constructible. The following action then took place:

**Moved by Myhr, seconded by Knapp, to pass the Resolution Accepting a Conservation Easement Eeed on Heritage Farm. Motion carried unanimously.**

**2:35 PM           DISCUSSION: Land Bank Commission Work Plan.** Present: Lincoln Bormann, Land Bank Director.

Mr. Bormann referenced his staff report noting that Work Plans tend to be incorporated in budgets, and explained that conservation projects are unpredictable for the Land Bank, as new things develop as the year progresses, necessitating emergency appropriations. Planned are three projects, one being the Heritage Farm Conservation Easement just enacted. He added that stewardship is more predictable and outlined goals and outreach in this regard, including opening two new preserves and ramping up volunteer activities. Mr. Bormann answered questions from the Council regarding year to year budget comparisons in the Conservation Fund, which Mr. Bormann stated he hopes will remain flat after a 40% drop in 2008 noted by Councilman Myhr.

**Moved by Pratt, seconded by Rosenfeld, to approve the Land Bank Commission Work Plan.** Mr. Myhr inquired whether the Land Bank Commission had approved the plan. Mr. Bormann stated their approval took place at their last meeting. **Motion carried unanimously.**

**2:50 PM           DISCUSSION: Open Public Meeting Follow-up.** Present: Randall Gaylord, PA.

Mr. Peterson noted that a question had arisen after the Open Public Meetings Act (OPMA) presentation as to whether subcommittee meetings "should" or "could" be closed. Mr. Gaylord stated that Council meetings must comply with OPMA. He stated that as a general rule, this applies only to meetings composed of a majority of a governing body for the agency and doesn't apply to subcommittees except when the subcommittee is acting on behalf of the governing body. He reviewed SJC adopted rules and requirements designed to enhance trust in government and recommended opening subcommittee meetings to the public. Council discussion took place regarding this and how it would affect the way in which they participate regarding sensitive issues. No decision was made.

**3:00 PM           REPORT: Mitchell Bay Landing** (Commenced at 3:22 p.m. due to time constraints.) Present: Randall Gaylord, PA; Jon Cain, Deputy PA; Ron Henrickson, CD&P Director; and Jeff Wasnick, Code Enforcement Officer; Dick Barnes, Mitchell Bay Landing owner; Don Eaton, Counsel for Dick Barnes; Stephanie O'Day, Attorney; and Francine Shaw, Land Use Consultant; and interested members of the public.

Mr. Peterson announced that this report was in response to a citizen complaint. Mr. Gaylord began by explaining that, since the onset of this dispute, he is the third Prosecuting Attorney involved, there have been two Code Enforcement Officers, five CD&P Directors, and one constant, Dick Barnes, with no final resolution. He added that this is the most complicated case he has been involved with in over 30 years. He provided aerial photos over time and a chronology of events. He noted that he had visited the site with Mr. Wasnic and Mr. Cain, met with Dick Barnes and his attorney, and learned things he wasn't aware of. He reported on conflicting direction given by SJC to Mr. Barnes regarding his non-conforming use of the property, which has continued since 1976. He

explained events over time and answered questions from the Council. Mr. Fralick asked if there was anything from a legal standpoint that could be done to keep these conflicting determinations from being made. Mr. Gaylord stated that when issuing permits, they must be very clear regarding non-conforming rights.

**3:20 PM EXECUTIVE SESSION:** (Commenced at 2:38 p.m. due to time constraints.)

Council Chair Peterson announced that the Council would be holding an **executive session** estimated to last approximately 10 minutes, to discuss pending litigation pursuant to the provisions of RCW 42.30.140 (1)(i) Present: Randy Gaylord, Prosecuting Attorney. At 2:48 p.m., Clerk Larson announced that the session would continue for an additional 10 minutes. The session ended at 2:58 p.m. for an actual session time of 20 minutes. No action was taken.

**3:30 PM DISCUSSION: Prosecuting Attorney Workload.** (Commenced at 4:00 p.m. due to time constraints.) Present: Randall Gaylord, PA.

Mr. Gaylord presented an organizational chart for his department. He commended his Staff, stating they are dedicated public servants who act in a professional and ethical manner working hard every day to accomplish the work that needs to be done in a way that he is proud of. Mr. Gaylord reported that there are law suits and issues pending and that he also becomes frustrated with the delays. He explained that their time and advice is what they offer and how the work and responsibilities are divided between County Departments, School Districts, and community agencies. He explained that he reorganized his office for better client/lawyer communications with staff responsible for the various departments; the Council, Auditor, Treasurer, District Court, Superior Court, Coroner, advice to the Sheriff's Department, Public Works, Land Bank, Health & Community Services, Juvenile Court, Parks & Recreation, and CD&P. He also explained priorities beginning with deadlines pertaining to court cases, statutes, and elsewhere, but Coroner cases take immediate precedence. He noted the necessity for training regarding new subjects and issues beyond the normal scope. He stated that the Council predecessors made commitments of his office that can't be undone, noting that San Juan is the only county in the state with a Land Bank. He explained that his staff handles commitments to contracts, phones, legal research, travel for cases outside the county, and hiring consulting attorneys on a serious reduction in budget, resulting in delays in Charter Completion. Mr. Knapp, speaking as one who held the office of PA for two terms, recognized Mr. Gaylord for the outstanding job that he is doing.

**3:45 PM DISCUSSION: Timing and potential extension of PUD for Rosario Master Plan:** Present: Ron Henrickson, CD&P Director; Randall Gaylord, PA; Christopher Peacock, Rosario General Manager; and Mel Strandberg, co-owner of Rosario.

Mr. Henrickson distributed the regulation regarding timeframes for Master Planned Resorts. He introduced Mr. Peacock and Mr. Strandberg. Mr. Peacock and Mr. Strandberg presented their plight. Mr. Henrickson recommended allowing a three year extension that could be placed on the first UDC hearing docket for 2009. Mr. Henrickson and Mr. Peacock answered questions from the Council. Ms. Pratt confirmed that the three year period triggered only the submittal of an application for phase one. Mr. Henrickson said that a motion wouldn't be necessary and that this would be heard by the Planning Commission next. Mr. Peterson noted Council consensus on moving forward.

**4:15 PM CLOSED SESSION:** (Continued from 11:00 a.m. closed session.)

Council Chair Peterson announced that the Council would be holding a **closed session** estimated to last approximately 20 minutes, to discuss labor contract negotiations pursuant to the provisions of RCW 42.30.140(4)(b). Participants: Pamela Morais, Human Resources Manager. At 4:35 p.m., Clerk Larson announced that the session would continue for an additional 5 minutes. The session ended at 4:40 p.m. for an actual session time of 25 minutes. No action was taken.

**4:40 PM ADJOURNMENT:** Council Chair Peterson adjourned the meeting at 4:40 p.m. A Meeting was scheduled for Monday, March 2, 2009, and the next Regular Tuesday Meeting was scheduled for Tuesday, March 3, 2009.

APPOINTMENTS:

1. **Mr. Myhr, Mr. Knapp, and Mr. Fralick**, appointed to an interview committee for the MRC.
2. **Mr. Knapp**, appointed to serve on the Board of Health in place of Ms. Pratt on March 18, 2009.

(See Tuesday, February 24, 2009, 10:15 AM COUNCIL ADMINISTRATIVE MATTERS, COUNCIL MEMBER UPDATES, for details of the appointment actions.)

BUDGET ITEMS/WARRANTS:

1. See Consent Agenda, section C. Budget Items, and
2. Parks Department Log Splitter (See Tuesday, February 24, 2009 10:15 AM, COUNCIL ADMINISTRATIVE MATTERS, Review of Items Removed from the Consent Agenda, #3, for details.)

CALL FOR BIDS: (No items.)

CONTRACTS/AGREEMENTS:

1. See Consent Agenda, Section B.
2. Interlocal Agreement for Dispatch Services (See Tuesday, February 24, 2009 10:15 a.m., COUNCIL ADMINISTRATIVE MATTERS, Review of Items Removed from the Consent Agenda, #1, for details.)
3. Inter-Governmental Agreement for Law Enforcement (See Tuesday, February 24, 2009 10:15 a.m., COUNCIL ADMINISTRATIVE MATTERS, Review of Items Removed from the Consent Agenda, #2, for details.)

CORRESPONDENCE:

1. **Letter to Senator Mary Margaret Haugen** (See Monday, February 23, 10:15 a.m., CLERK UPDATE & ADMINISTRATIVE MATTERS, for details of action taken.)

MISCELLANEOUS ITEMS: (No items.)

ORDINANCES / RESOLUTIONS:

1. **Resolution 11-2008** (See February 24, 2009, 2:00 p.m., Public Hearing, for details of action taken.)
2. **Resolution 12-2008** (See February 24, 2009, 2:20 p.m., Discussion, for details of action taken.)
3. **Resolution 13-2008** (See Consent Agenda of February 24, 2009, A. Resolutions / Ordinances, for details of action taken.)

PERSONNEL ITEMS: (No items.)

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**These Minutes were approved and signed on Tuesday, March 3, 2009. The original document is retained in the Council's permanent proceedings file. Attest: Lisa J. Brown, Deputy Clerk.**