

**SUMMARY OF THE MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
July 14 & 15, 2008**

Monday, July 14, 2008 - Council Hearing Room, Legislative Building, FH

CALL TO ORDER – REGULAR STAFF MEETING AND WORK SESSION

Council Chair Howard Rosenfeld called the staff meeting to order at 10:00 a.m. Council members Kevin Ranker, Rich Peterson, Gene Knapp, Bob Myhr, and Alan Lichter; CD&P Director, Ron Henrickson; Clerk to the Council, Ann Larson; Deputy Clerk, Lisa Brown; and interested members of the public were present.

EXCUSED ABSENCES

Moved by Lichter, seconded by Knapp, to excuse **Pete Rose, County Administrator**, due to illness. Motion carried unanimously.

CLERK UPDATE

Clerk Larson advised the Council that the scheduled 3:00 agenda item for Tuesday had been cancelled and options to fill the time were discussed. Ms. Larson provided an abridged version of the Minutes from last Monday for the Council's consideration and it was noted that the Council preferred the Minutes with more detail. She then provided a revised draft of the Facilities Use Policy. Discussion followed regarding allowing alcohol and by consensus, the Council decided they would not allow the use of alcohol in County facilities. Ms. Larson stated she would prepare the document for Consent. Ms. See noted committee appointments on consent for signature tomorrow. She pointed out that Shannon Plummer submitted a letter of application for the Veteran's Advisory Board (VAB), and reminded the Council that Jay Brant had been placed on consent, pending other applicants. Discussion regarding arranging interviews and criteria for filling this position followed and it was decided that the appointment be removed from Consent and placed on the agenda for discussion and vote.

ADMINISTRATIVE MATTERS

Council schedules, agendas, and minutes were reviewed. It was noted that the July Board of Health meeting had been cancelled.

COUNCIL MEMBER UPDATES

North Sound Mental Health Association (NSMHA) - Mr. Myhr reported that he had attended a NSMHA board meeting in Mount Vernon and learned that documents required to be filed for at-risk individuals may need to be completed within the county, rather than by Skagit County, as has been done in the past, resulting in a small funding consideration for SJC in the Prosecuting Attorney's (PA) budget. However, he is seeking alternatives.

Ferries - Mr. Rosenfeld expressed concern that, as the 13 State committees working on ferry issues meet in the fall to discuss future plans, that SJC has a sufficient voice. He suggested a test run on a "reservations-based" system on a busy weekend prior to endorsing the idea and providing direction to the FAC. Mr. Lichter requested a background paper explaining the issues they wish to discuss so the Council can be fully informed on what they are considering when they meet with the FAC. Mr. Rosenfeld thought this could be available in two to three weeks in a Monday meeting.

Legislative Priorities – Mr. Myhr is seeking additional items to take to the Coastal Counties Caucus (CCC), the Legislative Steering Committee, and State and Federal legislators, including a statement on Washington State Ferries (WSF), Capron Funds, items in support of Mitchell Hill, Lopez Hill, support for funds for the Puget Sound Partnership and Salmon Recovery Council, bringing forward \$341,000+ worth of projects as priorities. Also on Mr. Myhr's list were supporting mental health assistance for seniors and electric vehicles to curtail emissions. Discussion followed regarding Capron Funds, including the conversation with Governor Gregoire on July 5, 2008. Mr. Myhr mentioned that Ms. Larson was compiling information for him regarding Capron Funds, and Mr. Ranker requested that Jon Shannon provide information substantiating the reinstatement of these funds, to be placed in a letter to Governor Gregoire. Mr. Myhr asked that each Council member list and prioritize issues that are important to them.

No Net Loss of Farmland (NNLF) – Mr. Rosenfeld invited representatives from the Agricultural Resources Committee (ARC) to provide direction to the Council in support of farmers and farmland. Tim Clark, ARC Member; and Eliza Buck, ARC Coordinator, were present to report. Mr. Clark provided information on funding that could be made available for future farmland protection by the collection of back taxes, interest, and penalties. He had researched and referenced the policy in place by King County, explaining the development, structure, policy, goals, challenges, variations in terminology, and how SJC could use this as a model in planning policy relative to property composition, designations, and circumstances here. He also provided a copy of an ARC resolution to preserve farmland and a proposed

resolution for SJC to establish a NNLF policy. The ARC will be working this fall to determine how much farmland SJC currently has available overall. Mr. Clark suggested a policy reducing the re-designation of agricultural resource lands as a simple start toward a goal of NNLF. Discussion followed regarding legalities of the proposed resolution, support and funding options, and property owner rights. Mr. Clark and Ms. Buck answered questions from the Council. Of concern to Mr. Peterson was the “family farm” and whether this policy would preclude mom and dad from dividing the property to pass along to their children to build their homes on, and in this regard work against farmers and what they hope to do for their families. Ms. Buck stated that, in instances such as this, clustering would be recommended allowing for greater contiguous farming space, adding that there isn’t a simple solution. She asked that the Council be resolute in helping find solutions and developing public support of the concept of NNLF. Mr. Lichter questioned the ARC’s association with the Land Bank. Mr. Clark explained that their work is linked and is also connected to work of the Preservation Trust and WSU Extension. Mr. Myhr stated that he appreciated Mr. Knapp and the ARC bringing this forward to look at our long term vision for our islands. He supports maintaining open agricultural space, but understands that more information and refining are necessary prior to setting policy. **Stormwater Subcommittee** – Mr. Peterson reported that a draft ordinance is being prepared by the Prosecuting Attorney and the committee is continuing to review regulations. **Charter Completion** – Mr. Knapp reported that an ordinance will be brought forward for public hearing in a couple of weeks. **Lobbying** - Mr. Rosenfeld stated that he had a proposal advocating an additional salary stipend for lobbying travel to off island venues that would require authorization of the Council, and allow no more than three Council members to use it at any one time. He proposed the Salary Commission set a maximum of \$15,000 per year, which, at \$225/day, would cover 65 days. The per diem and normal travel expenses would also remain intact. Mr. Ranker stated he would present his lobbying report at the next meeting. **Smart Growth** – Mr. Lichter reported that his draft plan would be available in two weeks.

COUNTY ADMINISTRATOR ITEMS

2009 Budget Call – Mr. Henrickson, CD&P Director, invited Milene Henley, Auditor, to present budget planning for 2009. Mr. Ranker inquired about incorporating priorities into this process at the onset. Ms. Henley stated that the budget call had been sent out by Mr. Rose. She reported that revenues are down, primarily in the area of excise taxes, and that a second quarter financial report is scheduled for Aug 5, 2008. As expenses continue to grow faster than revenues in recent years, Ms. Henley is anticipating a potentially challenging budget year, and is challenging department heads to think about creative ways of performing their necessary (required by law) services. Ms. Henley requested that the maximum in administration fees be included in any grants applied for. She reviewed the 2009 Budget Calendar outline and process, and answered questions from the Council. Discussion followed regarding the downturn in the economy relating to trades, housing, and tourism. It was noted that, according to lodging information, tourists are still coming, but they are coming with groceries, and shopping and dining less. Gas tax and the importance of reinstating Capron Funds was also mentioned. Mr. Ranker asked for another report soon.

Briefing on Sheriff’s guild Contract Amendment – Pamela Morais, Human Resources Manager, addressed the Council, explaining a memo of understanding (MOU) regarding Internal Revenue Code Section 213d and VEBA (Voluntary Employees’ Beneficiary Association Medical Expense Plan), issued to correct a misunderstanding and assign half of this benefit to part-time Dispatch and Corrections Officers, who are covered under the San Juan County Personnel Rules instead of the Guild Collective Bargaining Agreement. [See Consent Agenda of July 15, 2008 for approval.]

WORK SESSION

12:30 p.m. - Review of Core initiatives – [Mr. Ranker was not present at this time; Mr. Myhr announced he would be leaving at 1:30 and Mr. Lichter stated he would be departing at 1:45.] Stan Matthews, Communications Program Manager, provided a PowerPoint presentation of the Council Retreat that took place on February 25th, 2008, to review accomplishments of the past and goals for the future. He stated that the list of core initiatives was narrowed to 10 top priorities in six categories and provided an outline including impediments, resources needed, and the Council lead assigned to each item. He reviewed the priorities and status of each initiative and lengthy Council discussion took place.

RECESS - At 2:07 p.m., Council Chair Rosenfeld recessed the meeting until 10:00 a.m., Tuesday, July 15, 2008.

Tuesday, July 15, 2008 - Council Hearing Room – Legislative Building, FH

CALL TO ORDER

Council Chair Rosenfeld called the meeting to order at 10:00 a.m. Council members Kevin Ranker, Rich Peterson, Gene Knapp, Bob Myhr, and Alan Lichter; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerk, Lisa Brown; and interested members of the public were present.

The flag salute was conducted.

CITIZEN ACCESS TIME

Tom Munsey, SJC resident, asked the Council to correct the newspaper announcements stating that voter registration would be “closed.” He said the deadline to register to vote in the upcoming election could be announced, but not that registration will be closed. Mr. Munsey also questioned public notice regarding the SJC Canvassing Board meeting scheduled for July 16th, stating that the required two week notice had not taken place. He stated that since two Canvassing Board members are up for election and are appearing on the primary ballot, they can’t sit on the board. Mr. Rosenfeld informed him that he was not on the primary, and Ms. Henley stated that Jon Cain would be Mr. Gaylord’s replacement. Lastly, he commented on the new regulations in the elections office; the prohibition of cameras and the prohibition of people in the tabulation area. He stated that this is not in the RCWs and asked if the County was trying to hide something.

Mike MacDonald, SJC resident, stated that it appears to him, and he is seeking confirmation, that three of the five sites under consideration violate on its face something in the Comprehensive (Comp) Plan, specifically to maintain a public road system that is as safe and efficient as possible. He stated that the Council and their predecessors were bound to find out before purchasing property if it was compatible with the Comp Plan, and this legislative body -- before authorizing expenditures to do the EIS -- had a responsibility to see that it conformed to the Comp Plan. He said he was asking, not as an adversary, to please show him how this was considered since it violates the face of the Comp Plan.

Tim White, SJC resident, was present to provide information on the initiative regarding SJC ballots. He also commented on the new rules for the Canvassing Board, disallowing public observers, cameras, and camcorders in the ballot processing room, adding that he “fears the only reason for this new change in regulations is because there is a fear that if someone is there with a camera, they will be able to associate the ballot with the voter if they are watching the assembly process of Ballot-Tracker.” He also reported on a demonstration of the new version of Ballot Tracker and issues with that program.

Alan Rosato, SJC resident, spoke regarding the initiative filing process, stating that the reason issues are filed on initiative is typically because the matter is being litigated by the Prosecuting Attorney. He suggested, rather than the initiative process being handled by the Prosecuting Attorney (PA), that it automatically be passed on to a neighboring county so that it remains unbiased.

ANNOUNCEMENTS/SCHEDULE CHANGES

The posted Council Agenda was revised.

APPROVAL OF MINUTES

Moved by Lichter, seconded by Myhr, to approve the Minutes of **July 7 and 8, 2008**. Motion carried unanimously.

CONSENT AGENDA

Moved by Lichter, seconded by Knapp, to approve the **Final Consent Agenda of July 15, 2008** as follows:

A. Resolutions: (No items.)

Ordinances: (No items.)

B. Contracts/Agreements: (No items.)

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17:36:28 PM

C. Budget Items:

1. Memorandum of Understanding between SJC and the Sheriff's Guild regarding Internal Revenue Code Section 213d and VEBA benefits for part-time Dispatch and Corrections Officer.

D. Personnel: (No items.)

E. Appointments:

1. A letter reappointing Mindy Kayl to the Eastsound Planning Review Committee, Position #1, beginning immediately and expiring on July 31, 2010.

2. A letter reappointing Patty Miller to the Eastsound Planning Review Committee, Position #4, beginning immediately and expiring on July 31, 2010.

3. A letter reappointing Joyce Nigretto to the Noxious Week Control Board, Area #1, West Orcas Island and Shaw Island, beginning August 1, 2008, and expiring July 31, 2012.

4. A letter appointing Mike MacDonald to the SJC Solid Waste Advisory Committee, Member #3, beginning immediately, and expiring on July 31, 2011.

5. A letter appointing Tim Clark to the SJC Open Space Advisory Team, Position #2, beginning immediately, and expiring on July 31, 2013.

F. Correspondence: (No items.)

G. Miscellaneous: (No items.)

H. Bid Openings: (No items.)

Motion carried.

ACTION AND DISCUSSION ITEMS

ORDINANCES/RESOLUTIONS:

ORD. NO. 31-2008- (Refer to PUBLIC HEARINGS, 2:30 p.m., for details of action taken.)

PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS:

Initiatives - Mr. Peterson stated that he believes if the PA is directly involved in something that an initiative is being filed against, SJC should have legislation allowing an alternative plan. Mr. Ranker suggested, in addition to the Charter Completion Committee review, seeking outside counsel or engaging Mr. Rose for direction on the issue. **Solid Waste Site** - Mr. Peterson requested more information regarding the study that took place in 2003 to help him understand Mr. MacDonald's complaint. **Eastsound UGA** - Mr. Knapp thanked Mr. Henrickson and the CD&P Staff for their extraordinary efforts towards GMA compliance on the Eastsound UGA, which was recognized by the Western Washington Growth Management Hearing Board. **Ballot Tracker** – Mr. Lichter suggested the simplest procedure to end the circuitous conversation and litigation on the ballot issue would be for the Council to indicate they want no bar codes on the ballot, no marks, completely secret, with no question whatsoever. His suggestion was met with a round of applause from the public. **North Sound Mental Health Administration (NSMHA)** – Mr. Myhr reported on his conference call with NSMHA and continues to work with Skagit County regarding expenses for involuntary confinement case filings. **Economic Stimulus Payments** – Mr. Rosenfeld reported that he received an IRS notice stating that 338 individuals in our community have not filed for their stimulus payments. Ms. Henley informed everyone present that all one needs to do to activate this payment is to file their tax return, even if they have had no income.

10:20 a.m. Briefing regarding unique marks on ballots – Milene Henley, Auditor, reported on the status of the Initiative filed on June 16th, 2008, noting that the sponsor declined his statutorily granted conference. The initiative was forwarded to the Prosecuting Attorney's office for titling. Ms. Henley stated she has not yet seen the petition, which is the next step in the process. Ms. Henley explained that the Issue behind the measure is removing barcodes from ballots due to the potential danger of loss of secrecy. She expressed the seriousness of misplacement of ballots, making reference to the 2004 gubernatorial race, pressing the need to keep the bar code marking. Discussion followed with an additional presentation by Mr. White. Ms. Henley and Mr. Gaylord answered questions from the Council. Mr. Gaylord pointed out that this is a policy initiative that would have some direction and import to our Auditor, should the voters approve the initiative. Mr. Lichter stated that he found the wording of the initiative to be inadequate, as it says ballots may not have unique identifying numbers or marks that

could allow a voter to be identified, and the Auditor's office says while we have bar codes, they can't really be used to connect the voter with the ballot, adding there were patches and encryption, causing it to be very complex, confusing, and unclear. Mr. Gaylord suggested inviting the Auditor from King County, as he believes they are using the Mail in Ballot Tracker (MIBT) system, and our Auditor to hear from them. Mr. Rosenfeld made a suggestion that it is the desire of this Council that there be no marks on ballots.

Mr. Lichter moved that the Council go on record as requiring no bar codes on Ballots sent to SJC voters. The motion was seconded by Ranker with the friendly amendment that it state requesting rather than requiring. Mr. Peterson understood the motion as a request from the Council to the Auditor to consider the idea of not putting identifying marks on ballots. **Mr. Ranker stated it should read "we [the Council] request[s] that she [the Auditor] consider" this. Mr. Lichter accepted the friendly amendment.** Mr. Knapp was in favor of Mr. Gaylord's suggestion to invite the Auditor from King County to hear their viewpoint and Mr. Myhr suggested including the Auditor from Thurston County as well. **The motion passed with Councilman Knapp opposed.**

10:35 a.m. (Commenced at 10:57 due to time constraints.) – **Briefing and presentation on a conveyance of a conservation easement to SJ Preservation Trust**, Meng parcel, Watmough Bay, Lopez Island. Lincoln Bormann, Land Bank Director, referenced his Staff Report, detailing the acquisition of Watmough Bay, and the conservation easement that the SJ Preservation Trust secured on the adjoining property, completing the protection of Watmough Bay. Acquisition costs were offset by this and the Salmon Recovery Funding Board. Mr. Bormann answered questions from the Council.

11:00 a.m. Briefing on Derelict Gear Removal in the San Juan Islands – Ginny Broadhurst, Executive Director, Northwest Straits Commission, gave a PowerPoint presentation, explaining that removal of derelict fishing gear is a primary focus of the Northwest Straits Initiative (NSI). She provided research findings showing fishing gear accumulation in the waters of San Juan County to be staggering and devastating to our marine habitat. Ms. Broadhurst explained the history of the Commission, and organization, composition, research, and operations, legislator support, and funding sources of the Initiative. She shared information on their findings and the harm it is causing in the San Juans, and reviewed the removal efforts and timeline. Ms. Broadhurst also provided a 2007 NSI Annual Report and explained how this citizen-based approach has become a National model. Council discussion followed and Ms. Broadhurst answered questions from the Council.

11:30 a.m. Joint Meeting – CAO Committee Update – Present: Shireene Hale, Senior Planner II; Patty Miller, Orcas Island citizen; Amy Windrope, San Juan Initiative non-voting member; Teri Williams, Orcas Island Realtor's Association; John Evans, Orcas Island, San Juan Building Association; Mary Masters, Orcas Island MRC member; Stephanie Buffum Field, Executive Director, Friends of the San Juans; Tom Cowan, facilitator. Ms. Hale explained that the committee is working through the science and protection programs for the five critical areas. She reported that the committee has completed recommendations to the Planning Commission on the groundwater portion of the project and is currently working on recommendations for fish and wildlife habitat conservation areas. She explained that this is the most difficult and problematic part of the project, as they are required to review science and protect so many different kinds of habitat, without specific guidance under the GMA. She gave an example, stating the Department of Fish and Wildlife (DFW) recommends protection of all priority habitat and species, and adoption of a 250' shoreline buffer, adding that the GMA calls for protection of the animals, but not the habitat. Ms. Hale commended the Committee on their donated time and effort, stating that they worked well together, but are divided on the issue of shoreline buffers. Lengthy discussion between the Council, Staff, and the Committee followed. Mr. Rosenfeld stated that the main objective is getting into compliance with the GMA. Until then the County is penalized by not qualifying for low interest grants and loans. Divided opinions were shared by members of the CAO Committee regarding a legally defensible plan based on "best available science." Mr. Peterson pointed out that based on best available science, without even a 50' buffer on his property on Mosquito Pass, there should be no forage fish, but in actuality they are abundant. Mr. Rosenfeld suggested seeking legal assistance through our PA in determining what is required. Mr. Lichter stated that the Council is looking for a product that is legally defensible and scientifically credible and was not opposed to receiving two products from the Committee. Mr. Knapp questioned availability of the PA and Mr. Gaylord stated that Jon Cain, Deputy Prosecuting Attorney, has been and will continue to assist the Committee at their meetings, adding that this is a unique blend of science and law. Additional comments were shared by the Council and Staff.

COUNTY ADMINISTRATOR COUNCIL BRIEFING

Pete Rose, County Administrator (CA) – Also present: Jon Shannon, Public Works (PW) Director; Adina Cunningham, CA Deputy Director.

1. Verbal Briefing and Introduction of the Amendment to the 2008 Annual Road Plan – Mr. Shannon referenced his Staff Report and Draft Ordinance regarding the potential acquisition of Orcas Landing, west of the Washington State Ferry (WSF) landing. He reported that the owner approached SJC earlier this year regarding the acquisition. Details were considered and reviewed under the direction of the County Administrator. Mr. Shannon stated that this acquisition would answer to requirements in both the SJC Comprehensive Plan and the Long Range Marine Transportation Plan by providing commuter access to ferry landings, which has not been accomplished in any of our islands to date. He stated the property is currently listed at \$3.4 million, but that the commercial appraisal came back at \$2.75 million, with an acceptable price to the department and seller being reached at \$2.85 million, to be purchased through a grant and loan. Discussion followed and Mr. Shannon answered questions from the Council, who considered this to be a great public asset. Mr. Lichter stated the property would serve as an ideal staging area for footers, bikers, and kayakers and would also provide an opportunity for improvements for ingress and egress for the ferry system. Mr. Peterson asked about the \$1 million recreation conservation office grant, to which Mr. Shannon replied he believes the application will be rated high, but is not expecting the full \$1 million. Funding received would be applied to principal, reducing loan interest. Mr. Peterson was concerned about staffing implications. Mr. Shannon explained that moorage would take place under a courtesy system and management of the commercial leases would be offset by revenue generated. Mr. Shannon said the property is approximately three quarters of an acre with 224' of waterfront and includes three main dock areas, a restaurant, a 1,000 sf storage building, and a park-like area, with the north end of the property abutting the County right-of-way and the east end abutting the WSF ramp. Past petroleum storage and DOE release was noted. Mr. Myhr asked Ms. Henley, Auditor, if she had any ideas of the sources of funding for the acquisition. Mr. Shannon then provided financing details and the following action took place:

Moved by Lichter, seconded by Knapp, to introduce the ordinance revising the 2008 Annual Road Program and appropriating funds for the County Road Project 543081, the acquisition of real property at Orcas Landing for use as a public dock. Mr. Ranker asked Ms. Henley if she had reviewed and approved of the proposal. Ms. Henley had not heard about it previously, but stated that nothing she heard today raised questions in her mind. **Motion carried unanimously.**

2. Briefing on the petition method process for Orcas Village annexation into the Eastsound Water District (ESWD) – Mr. Rose invited Adina Cunningham, SJC Deputy Director, to come forward and introduce this item. Ms. Cunningham explained that if this annexation was to move to election on the November ballot that the public hearing would need to take place no later than August 5th, 2008. She provided background information, explaining that this is the “second touch” for the Council on this item and that if the process set forth and governed by Chapter 57 of the RCW was followed, the petition was certified by the Auditor, the ESWD concurred with the certification and filed their certificate of concurrence, the environmental assessment meeting, as required by the State Environmental Policy Act (SEPA), was held and met with approval. The district felt it should go forward with a finding of no significant impact. ESWD has been operating this sewer system in and around Orcas Village since 1989. Ms. Cunningham recommended scheduling a public hearing for Council consideration. If the Council finds that the proposed annexation would be conducive to the public health and welfare then it would proceed to the November elections.

Moved by Myhr, seconded by Lichter, to direct the petition for annexation of Orcas Village by ESWD to be set for public hearing on or about Aug 5, 2008. Mr. Peterson suggested scheduling this on Orcas Island. Mr. Rose explained that due to the lead-time required for the election that would not be possible. **Motion carried unanimously.**

PUBLIC HEARINGS

2:00 p.m. - A public hearing was held to consider the Lopez Village Saltwater Intrusion Management Ordinance. Present: Full Council; Colin Maycock, CD&P Senior Planner; Pete Rose, County Administrator (CA); Randall Gaylord, PA; Jon Cain, Deputy Prosecutor; Ann Larson, Clerk to the Council; Lisa Brown, Public Hearings Specialist; and interested members of the public. Mr. Maycock presented his Staff Report and gave a presentation on the saltwater intrusion management plan. He provided an overview of a map showing wells and

the entire aquifer, and described methods used to monitor the wells. He reviewed details of the proposed ordinance and answered questions from the Council. Concerns were raised regarding building moratoriums due to saltwater intrusion notice, degradation of the aquifer, exclusion of catchment systems, and minor changes in wording. Mr. Myhr asked for a continuation of the hearing because the Council had not had an opportunity to review the ordinance earlier. Public testimony was opened, none submitted, and closed. Mr. Rosenfeld then continued the hearing to August 19, 2008.

2:30 p.m. - A public hearing was held to consider the Ordinance to Amend Ordinance 26-2007 Regarding the Definition of Research and Educational Facilities in the Deer Harbor Hamlet to Comply with the Order of the Growth Management Hearing Board (GMHB). Present: Council members Howie Rosenfeld, Rich Peterson, Gene Knapp, Bob Myhr, and Alan Lichter; County Administrator, Pete Rose; CD&P Senior Planner, Colin Maycock; Clerk to the Council, Ann Larson; Deputy Clerk, Lisa Brown; interested CD&P and PA Staff; and interested members of the public were present. Mr. Maycock explained that the Deer Harbor Hamlet Plan, adopted on July 17, 2007, was appealed to the Growth Management Hearings Board, which issued a final decision on March 24, 2008, finding that development regulations were internally inconsistent. Mr. Maycock explained how the proposed ordinance addresses and corrects discrepancies by changing the regulation to limit the 20 acre size to Hamlet Residential and remove this category from Hamlet Commercial and Hamlet Industrial A, in accordance with the GMHB ruling. Public testimony was opened, none submitted, and closed. Deliberations were held and the following action was taken:

Moved by Lichter, seconded by Knapp, to approve and adopt the Ordinance to Amend Ordinance 26-2007 Regarding the Definition of Research and Educational Facilities in the Deer Harbor Hamlet to Comply with the Final Decision and Order of the GMHB, case 07-2-0013. Motion carried unanimously.

3:00 p.m. – (Commenced at 2:34 due to time constraints.) **Veterans' Advisory Board** - Mr. Peterson expressed an interest in waiting to make an appointment to the Board until after Mr. DeLorenzi's August 5th presentation, so as not to compound the issue. Mr. Lichter stated his preference to move ahead with an appointment, and in his view, the presentation would not be connected to who is on the Board and who is not. Mr. Myhr was ready to appoint based on recommendations and discussions to date in terms of background and experience. Mr. Knapp stated that the Council has allowed time for Mr. DeLorenzi to come on August 5th, 2008, to address issues and felt waiting to appoint a member until after that meeting would be better. Mr. Rosenfeld spoke in favor of Shannon due to his experience and effort, but was open to the interview process and suggested the Council hold interviews on Aug 5th as well. Mr. Rosenfeld asked if a legal opinion was needed on membership in Nationally Recognized Veterans organizations. Mr. Knapp suggested having Mr. Gaylord or a deputy present for the discussion. The Council agreed by Consensus to leave discussion, interviews, and appointments until the 5th of August. Mr. Rosenfeld recommended the clerk invite both applicants to appear on Monday or Tuesday for interviews.

Legislative Priorities – Mr. Myhr referenced the list he prepared, noting that it was not organized by priority, and asked the Council for additional items. Discussion followed regarding the sewage dumping in BC and Mr. Myhr suggested making a decision on this as a priority following an informational presentation from someone involved in their planning. Mr. Rosenfeld said he would work with the Clerk to arrange this. Regarding expansion of mental health for seniors, Mr. Lichter asked to include youth, as both groups are vulnerable and underserved. Mr. Myhr moved ahead to the Puget Sound Partnership and inquired about the "ask." Mr. Rose interjected that with the Endangered Species Act (ESA) listing of species, resulting in regulatory mandates (such as in the CAO), the County will need funding for as much of the recovery as possible. He added that Mr. Bormann demonstrated this morning how a good spawning area can be protected and at the same time help SJC to the tune of \$500 thousand dollars. Mr. Ranker agreed stating that funding for the SJI through PSP needs to be maintained or increased, and the salmon recovery budget request this year is \$100 million, meaning an increase from \$3.7 to \$4.9 million over last year. He added that many of those salmon projects coincide with road fund projects because the roads are on the shoreline, allowing SJC to supplement other areas of the budget with those monies. He stressed the two major points for PSP are to pay attention to make certain there are no unfunded mandates moving forward in legislation, and make sure they get the money where they can to help us with projects to increase the salmon money so that we can get more for SJC. Mr. Rosenfeld asked about weighing in on Orca protection as a legislative priority and Mr. Ranker suggested this item had already been launched successfully. Mr. Myhr read from his notes items 8-10 that he had added to the list. Item No. 8, was unfunded mandates, No. 9, Federal funding for a year-round tug, No. 10, the BC sewage problem. Council discussion continued with questions being answered by Mr. Rose and Ms. Henley. Concerns mentioned included Capron Funds, WSF,

commercial crabbing, agriculture and fishing, water system sanitation, funding for public schools, mental health (and getting more data), grey water catchment, the loan program for residential septic systems and possibility of expanding the program to cover stormwater, electric vehicles, the economy, and the County budget and reduced reserves.

ADJOURNMENT - Moved by Ranker, seconded by Lichter, to adjourn the meeting at 3:52 p.m. Motion carried. The next regular meeting was scheduled for Monday, July 28, 2008, to continue on Tuesday, July 29, 2008.

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

Howard Rosenfeld, Chair
District 3, Friday Harbor

ATTEST: Clerk of the Council

By: _____
Lisa Brown, Deputy Clerk

Gene Knapp, Vice-Chair
District 5, Orcas East

Kevin M. M. Ranker, Member
District 1, San Juan South

Rich Peterson, Member
District 2, San Juan North

Alan Lichter, Member
District 4, Orcas West/Waldron

Bob Myhr, Member
District 6, Lopez/Shaw