

**MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
December 8, and 9, 2008**

Monday, December 8, 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, Alan Lichter, and Bob Myhr; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerks, Lisa Brown (remotely) and Maureen See; and interested members of the public were present.

CITIZEN ACCESS TIME

Don Burkhart addressed the Council regarding the referendum filed by his corporation, Fireworks LLC. He submitted a written statement explaining the basis of the referendum and, in the interest of time, suggested to the Council that they begin writing a new ordinance now to place on the ballot this November. One concern he raised was that kids will continue to use fireworks, they just won't do it out in the open at the beach (where it is safer), they will likely go into the woods to use them, potentially causing the kind of problems this legislation was passed to prevent. Mr. Burkhart answered questions from the Council.

CLERK UPDATE / ADMINISTRATIVE MATTERS

Clerk Larson announced that the Staff and Council Recognition Ceremony had been scheduled for 11:25 a.m. tomorrow. She noted that the franchise denial resolution should be ready for consent on the 16th of December. She also reported on a thank you letter being drafted to Senators Murray and Cantwell, and Representative Larsen, for their support regarding Mitchell Hill. Ms. Larson pointed out that the General Government Subcommittee meeting, regarding code enforcement, had been rescheduled to January 12th, 2009. Discussion followed regarding appointing one of the newly elected Council members to that committee and the Council asked for a review of all Council committee assignments. Lastly, Ms. Larson noted that Amanda Azous, Noxious Weed Board Chair, had requested agenda time today.

Deputy Clerk See provided an update on committee representation and the Council agreed by consensus to have the following individuals' appointments added to the Consent Agenda: Lance Evans to the SJC Ferry Advisory Committee, Susan Dehlendorf to the SJC Planning Commission, Tori Benz-Hillstrom to the SJC Health & Community Services Advisory Board, and Sam Jacobson to the SJC Solid Waste Advisory Committee. Ms. See said she would be running a bulk advertisement again in February and distributed a Deer Harbor Planning Review Committee update. Ms. See also said she would be sending a thank you card to Carla Higginson for the Poinsettia that she sent to the Council.

Council schedules, agendas, and Minutes were reviewed and amended. Mr. Rosenfeld inquired about the "tough notebooks" on the Consent Agenda. George Johnson, Information Services Manager, explained that the loss in productivity due to the time it takes to deploy a new laptop is not worth the savings in equipment. Mr. Knapp inquired about a residency requirement to qualify for benefits and the source of funding. The item was pulled for discussion tomorrow. Discussion took place regarding scheduling time for a Noxious Weed Board discussion to reexamine reduced rates and whether it would necessitate re-advertising for a new public hearing. Mr. Rose and Randall Gaylord, Prosecuting Attorney, provided information to the Council. Mr. Gaylord pointed out that a motion for reconsideration can be taken up as late as the next meeting after the matter had been considered, and cautioned that if the Council waives this rule, nothing would ever be final and matters would be subject to ongoing reconsideration, which would be bad policy and ill advised. Mr. Myhr asked Mr. Gaylord who was responsible for enforcing the rules of procedure for the Council. Mr. Gaylord said the Council was. Mr. Myhr thanked Mr. Gaylord and asked that his answer be noted in the record. Mr. Ranker suggested rescheduling and re-advertising a new ordinance. Amanda Azous explained the new proposal and the following action then took place:

Moved by Ranker, seconded by Myhr, to direct staff to prepare an updated Ordinance for Parcel Assessment for Council review and discussion tomorrow. Motion carried with Peterson opposed, Knapp abstained.

Mr. Ranker requested that Ms. Larson determine whether he could participate in a hearing telephonically.

COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS

12:40 p.m. - COUNCIL MEMBER UPDATES

Ferries/FAC/Ferry Subcommittee: Mr. Rosenfeld pointed out that Ferry Advisory Committees (FAC) are not subject to the Open Public Meetings Act (OPMA), but that our FAC is subject to it through the SJC regulations for advisory bodies. He explained situations that limit participation by our FAC as long as this requirement exists and suggested having the General Government Subcommittee address this as well as allowing serial e-mails, as FAC situations require a lot of attention to details in an ongoing dialogue and process.

Cell phone task force: Mr. Peterson reported on the meeting and teleconference that took place on Wednesday, December 3, 2008. The new ordinance, which is sensitive to health, aesthetic, and property value issues, was discussed, but still did not satisfy the opposed contingent. Mr. Peterson said he had to abruptly adjourn the meeting which had digressed to a lot of anger and no discussion. Mr. Lichter suggested the subcommittee be as transparent, inclusive, and collaborative as possible. Member selection of the task force was discussed and it was suggested that in the future all positions should be appointed by the Council.

Budget Subcommittee: Mr. Rosenfeld inquired about the Budget Subcommittee and Mr. Rose explained that significant review would be taking place in 2009 on revenues and expenditures, funding, and structure for sustainability and that this committee could potentially participate significantly.

Acknowledgements: Mr. Knapp made a request that the Council send a letter welcoming the new owners of Rosario Resort and Spa. He also reported that *US News and World Report* did a study of the 21,000 high schools in the US and Orcas High School made the list as one of the best high schools in the Country. He asked that a letter congratulating them be sent to the Orcas High School and the Sounder.

COUNTY ADMINISTRATOR ITEMS

11:00 a.m. (Commenced at 11:19 due to time constraints.) Present: Pete Rose, County Administrator; Milene Henley, SJC Auditor; Ron Henrickson, Community Development & Planning (CD&P) Director; Colin Maycock, Senior Planner; and interested members of the public.

1) Historic Courthouse Renovation Phase 2 Bid: Mr. Rose explained that funding options had been identified and that he would continue to evaluate bids carrying forward to December 16, 2008, for approval. He added that the current apparent low bidder, Peter Schmidt, earned his keep on the first phase. He reported that the Auditor provided an updated review and cash flow of resources, noting that if the County had to go to the second or third lowest responsible bid, they may have to take out a short-term note over to the 2010 capital budget, but that at least \$175,000 would come off the books as a debt-service payment, and even more during the 2-3 years beyond that. Mr. Rose stated this could be accomplished within existing resources for a long-term goal of having a second fully serviceable courtroom. Mr. Rose answered questions from the Council.

2) Ordinance Designating an Agent to Receive Claims: Ms. Henley explained that claims need to be filed with the County before lawsuit could be filed [against the County], and that an Agent to Receive Claims must be identified. She proposed, as has been the case in the past, that the Agent be the Auditor, and to have that codified by Ordinance so that future re-designations could be made by way of a Resolution. Ms. Henley answered questions from the Council.

3) Housing Element Compliance Update: (Commenced at 11:53) Mr. Henrickson provided a brief introduction to future population and housing needs assessment for SJC. He explained that this information would be presented to the Planning Commission in December and January and then back to the Council in February, 2009. Mr. Henrickson said the data gives a glimpse into the future assuming changes and challenges SJC will face. Mr. Myhr said we need to take a careful look at the assumptions. Mr. Maycock presented PowerPoint presentation depicting population projections, demographics, work-force requirements, housing needs, transportation needs, and the consequences if these needs are not met. Mr. Maycock and Mr. Henrickson answered questions from the Council.

DISCUSSION ITEMS

11:30 a.m. Lobbyist Presentation by Richard Little: Mr. Ranker introduced Mr. Little, a lobbyist, currently contracted by Bellingham, to develop their legislative priorities in Olympia and Washington DC. Mr. Little explained his work as a contracted lobbyist and the importance of having a “resident” presence in Olympia championing issues that are important to cities and counties, and to let Legislators know “the state doesn’t stop at the northern Snohomish County line.” He reported that King, Pierce, Clarke, Spokane, and Snohomish Counties all have decided they want independent lobbyists. He noted that membership organizations represent a broad spectrum across the state, while lobbyists act on special needs unique to a given city or county. Mr. Little answered questions from the Council.

1:00 p.m. Legislative Priorities: Mr. Myhr stated that the priorities will continue to require revisions as conditions regarding them change and that the Council needs to address whether they want to cover these issues with or without a hired lobbyist.

Washington State Ferries (WSF): Mr. Rosenfeld suggested a more realistic request under this priority would be to change from three to at least two 144 car ferries and from four to at least three 64 car ferries. He added that the fleet is aging dramatically, with one ferry over 60 years old, one over 50 years old, and the super ferries over 40 years old. Mr. Knapp suggested taking advantage of the federal stimulus package, as there are a lot of jobs in building terminals and ferries. Mr. Rosenfeld explained that building ferries wouldn’t qualify because of the “built in Washington” clause and that Mr. Ranker was pushing for the Anacortes terminal and propulsion assembly instead. Mr. Peterson asked about having that provision removed as it is in an area SJC has a strong need. Discussion followed regarding level of service and improving terminals in the islands. Mr. Myhr suggested adding a new item to use federal stimulus funds to support construction of ferries and improve island ferry terminals. The Council concurred that this should be listed first.

Stormwater Guidelines: Funding for a Department of Ecology (DOE) stormwater manual for rural counties was discussed by the Council. It was decided that position number two would be eliminated from the priority outline, and the discussion points expanded to include more specific information regarding the poor fit with low density rural projects and requirements. Mr. Rose was asked to redraft the statement.

Restoration/Allocation of Capron Funds: Mr. Myhr shared a concern that if the Council acts too aggressively on this issue, they risk having them taken away. Mr. Rosenfeld commented on the grim outlook on this due to the downturn in the economy. Council discussion took place and Mr. Rose advised the Council, in light of the change in the economy, to remain astute so as to determine whether SJC should take an offensive or defensive position on this issue. Mr. Myhr concluded by stating the Council needs to be careful about pushing this, but to be prepared in the event something could be reintroduced.

Odlin South: Mr. Myhr reported that the DNR listed an item in their Capital budget for a lease of 37 acres of Odlin South for \$607,000, for SJC Land Bank/Parks. Discussion followed regarding the allocation and the receiving entity and the position statement was reworded.

Mitchell Hill: Council discussion took place regarding state ownership of Mitchell Hill, through the DNR Trustlands Program and Mr. Rosenfeld suggested the Council consult with Lincoln Bormann, Land Bank Director, for direction on this priority. He also wanted to be certain it was mentioned in the letter to Mr. Goldmark, the new Commissioner of Public Lands, and Mr. Myhr confirmed that it was.

Cattle Point Road: Mr. Myhr noted that Lovel Pratt expressed concern regarding the second bullet under “What is needed” and the Council decided it should be deleted. Mr. Peterson suggested removing the project from the Transportation Improvement Plan. It was decided by the Council to eliminate the two bullet points following that as well and truncate the last sentence after San Juan Island, in the Action Needed section.

Rescue Tug: Mr. Myhr suggested leaving this priority “as-is.” Mr. Rosenfeld said it could be another candidate for the Federal Stimulus Package.

Full Funding for Public Schools – Mr. Myhr pointed out that WSAC had indicated that they would not be getting involved in school funding, as other entities are “working” that issue, but that Lovel Pratt expressed an interest in seeing this remain as a Council priority.

Several other edits were made to the SJC 2009 Legislative Priorities document. Mr. Myhr then asked Mr. Rose to provide final comments regarding the positions and asked if there were additional items they might want to include. Mr. Rose said there was a question based on whether the Council wanted to be active in the idea of getting proposed legislation to allow for amendments to county shoreline policies when other state and federal agencies in the courts have changed the playing field. Right now SJC is caught due to work on the CAO, the Anacortes decision, and the FEMA letter, which everyone is trying to interpret, and at the same time are required to update the entire Shoreline Master Program (SMP). He reported that Senior Planner, Shireene Hale, suggested a specific addition to RCW 90.58.090, which says the DOE shall approve amendments to the SMP necessary to meet the requirements of other state and federal laws providing the amendments are consistent with the policies of 90.58.090. Ms. Hale provided additional information regarding this and answered questions from the Council. Mr. Myhr asked Ms. Hale to write a position paper regarding this as a priority and the Council concurred.

2009 SJC Budget: Mr. Rose reported that the Auditor and Chief Deputy Auditor had completed the detail of all changes in the budget for final consideration tomorrow and brought a copy for distribution after session. He noted that the ending cash reserve amounts to \$1,260,000, gaining about \$70,000 partially due to reductions in separation costs.

ADJOURN – Moved by Ranker, seconded by Myhr, to adjourn the meeting at 1:59 p.m. Motion carried unanimously.

Tuesday, December 9, 2008 - Council Hearing Room – Legislative Building, FH
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CALL TO ORDER

Council Chair Rosenfeld called the meeting to order at 10:00 a.m. Council Members Kevin Ranker, Rich Peterson, Gene Knapp, Alan Lichter, and Bob Myhr; County Administrator (CA) Pro Tem, Ron Henrickson; Clerk to the Council, Ann Larson; Deputy Clerk, Lisa Brown (remotely); and interested members of the public were present.

The flag salute was conducted.

EXCUSED ABSENCES

Moved by Myhr, seconded by Lichter, to **excuse Pete Rose, CA**, for a family emergency. Motion carried unanimously.

CITIZEN ACCESS TIME

Teresa Matthews, a SJC Appraiser in the Assessor's office addressed the Council regarding short staffing in their department. She stated that saving \$75,000 could result in losing \$300,000 in revenue to the County in new construction assessments, which would also assure equity and reduce taxes for citizens. She implored the Council not to cut any more in their office.

Karen Costanza, SJC Assessor's Office, concurred with Ms. Matthews and stressed the equity and fairness issue related to completing appraisals in a timely manner and made a plea to the Council to maintain their current staffing level.

Deborah Nolan, 20 year SJI resident, volunteer, and business owner, addressed the Council regarding assessments and appeals, fees, and is adamantly opposed to increasing building license fees. She said she would like to see a fast track program to get more building done and is concerned SJC may be going back to the same economy of people working off island, unless local economic drivers are supported.

APPROVAL OF MINUTES

Moved by Lichter, seconded by Myhr, to approve the **Minutes of December 1 and 2, 2008**. Motion carried.

CONSENT AGENDA

Moved by Lichter, seconded by Knapp, to approve the **Final Consent Agenda of December 9, 2008**, as follows:

A. Resolutions / Ordinances:

1. A Resolution granting Richman Timber Open Space Application No. 07TOS005 on Orcas Island.
2. A Resolution accepting one easement, appropriating funds, and authorizing payment of Fisherman Bay Road Right-Of-Way Acquisition, CRP 030702, K&B Enterprises on Lopez, Inc.
3. A Resolution denying application for water line franchise to RHBR LLC.

B. Contracts/Agreements: 1) A Cooperative Purchasing Agreement with the City of Everett

C. Budget Items: Approve Warrants:

- Warrants #54728-54817 in amount of \$89,131.86 for County Claims
- Warrants #54716-54727 in amount of \$3,010.63 for Public Works

D. Personnel (No items.)

E. Appointments

1. A letter to Senators Murray, Cantwell, and Representative Larsen, thanking them for their support of Mitchell Hill.
2. A letter appointing Lance Evans to the SJC Ferry Advisory Committee, as an Alternate. The term begins on January 1, 2009 and expires on December 31, 2012.
3. A letter appointing Tori Benz-Hillstrom to the SJC Health & Community Services Advisory Board, Position #2. The term begins January 1, 2009 and expires December 31, 2011.
4. A letter appointing Susan Dehlendorf to the SJC Planning Commission, Member #2. The term begins January 1, 2009 and expires December 31, 2011.
5. A letter appointing Sam Jacobson to the SJC Solid Waste Advisory Committee, Member #8. The term begins January 1, 2009 and expires December 31, 2011.

F. Correspondence: (No items.)

G. Miscellaneous: (No items.)

Motion carried.

ACTION ITEMS

ORDINANCES/RESOLUTIONS

ORD. NO. 58-2008- (Refer to PUBLIC HEARINGS, 11:10 a.m., for details of action taken.)

ORD. NO. 59-2008- (Refer to PUBLIC HEARINGS, 3:00 p.m., for details of action taken.)

ORD. NO. 60-2008- (Refer to PUBLIC HEARINGS, 1:30 p.m., for details of action taken.)

RES. NO. 84-2008- (Refer to DISCUSSIONS 10:50 a.m., for details of action taken.)

RES. NO. 85-2008- (Refer to PUBLIC HEARINGS, 11:10 a.m., for details of action taken.)

RES. NO. 86-2008- (Refer to PUBLIC HEARINGS, 2:20 p.m., for details of action taken.)

COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS

COUNCIL MEMBER UPDATES

Mr. Ranker requested agenda time for discussion regarding lobbying.

CORRESPONDENCE

Mr. Rosenfeld announced that a letter to the Director of Washington State Community Trade and Economic Development had been prepared for signature. The Council was in favor of signing the letter.

DISCUSSIONS

10:00 a.m. (Commenced at 10:11 due to time constraints.) **Noxious Weed Assessment Increase:** Mr. Rosenfeld asked if the Council had an opportunity to review the revised Ordinance and the following action took place:

Moved by Lichter, seconded by Myhr, to move the Ordinance increasing the Noxious Weed Assessment forward to a public hearing. Mr. Peterson asked if a hearing date had been established. Ms. Larson said the latest date for enacting, for inclusion in 2009 assessments, would be January 5, or 6, 2009. This was discussed in addition to allowing Councilman Ranker to participate telephonically. **Mr. Lichter amended his motion to include the date of the hearing as January 5, 2009, which was accepted by Mr. Myhr.** Mr. Knapp questioned the inclusion of Noxious Weed programs in two separate SJC department budgets and as a result of this year's budgeting, requested information on how many county employees had been terminated and/or reduced, and the number of department budgets that were decreased in the 2009 budget, prior to the hearing. **Motion carried with Peterson opposed.**

Setting a Special Meeting Time and Participation by Teleconference: (Commenced at 1:30 p.m.) Mr. Myhr requested scheduling a time for the weed board hearing and determination on whether or not participation by teleconference would be permissible. The Council concurred that the Special Meeting would occur at 9:00 a.m. on January 5, 2009. Mr. Rosenfeld said that teleconferencing or televoting is not in the Council rules, but could be allowed by vote on a case-by-case basis. He also suggested having the General Government subcommittee look at putting something in the Council rules to address telephonic participation in meetings.

Moved by Lichter, seconded by Myhr, that absent rules of procedure regarding teleconferencing, that the council permit teleconferencing and voting on Jan 5, 2009, if necessary. Mr. Peterson said he would support this motion, but that the Council needs to establish a policy regarding this, so Council members don't decide selectively based on sentiments of the day. Mr. Myhr made a friendly amendment to remove the necessary clause from the motion, which was not accepted. **Motion carried unanimously.**

Moved by Myhr, seconded by Lichter, to have a special meeting for a Public Hearing on Monday, January 5, 9:00 a.m. to consider the Noxious Weed Funding Ordinance. Mr. Peterson stated the reason he would state would be so that the Council didn't pass the issue on to the new Council. **Motion carried with Peterson opposed.**

10:00 a.m. (Commenced at 10:20 due to time constraints.) **Revised Homeless Prevention Plan Resolution:** Angela Lausch, Affordable Housing Coordinator, was available to provide clarification regarding funding. Mr. Knapp asked that the resolution clearly state that this is the only source of funding and include a residency requirement. Ms. Lausch explained that to be considered for this program, an applicant must be a resident of the low-income apartments, which generally have wait lists. Council discussion took place and Ms. Lausch answered questions from the Council. Mr. Knapp asked for the resolution to include a six month residency requirement and Ms. Lausch said she would make that amendment. It was decided the Resolution would be placed on Consent for December 16, 2008.

10:20 a.m. (Commenced at 10:28 due to time constraints.) **SJC Housing Authority:** Angela Lausch, Affordable Housing Coordinator. Ms. Lausch introduced Teri Anania, Executive Director, Island County Housing Authority, available to answer questions regarding Housing Authorities. Ms. Lausch provided an update regarding the eminent domain issue raised at her October 28th presentation, reporting that in the past 25 years only one instance had occurred. Ms. Lausch and Ms. Anania answered questions from the Council relating to population, need, funding and grants, advantages of having a Housing Authority, and the body that governs the Housing Authority.

10:50 a.m. (Commenced at 10:46 due to time constraints.) **San Juan Initiative (SJI) Final Recommendation:** Present: Jim Kramer, Project Manager; Jonathan White, Co-Chair, SJI; Amy Windrope, SJI Project Coordinator; Patty Miller, Policy Group Member; and interested members of the public. Mr. White presented the resolution to implement the recommendations put forward by the SJI. He explained that the SJI views eco-system protection in a way that supports community values, builds local capacity, and serves as a pilot project for the Puget Sound, and thanked supporters: Puget Sound Partnership, Surfrider Foundation, Community Salmon Fund, Salmon Recovery Funding Board, the Nature Conservancy, the Bullet Foundation, and the National Fish and Wildlife Foundation. He added that their recommendations are scientifically valid, community supported, and politically feasible. Ms. Miller provided information regarding the research and outreach that took place in arriving at these recommendations. Ms. Windrope provided background information related to the resolution, provided a slide show presentation, and explained how their efforts would be tailored to specific conditions present in a given area. She also pointed out that she recognizes that the recommendations will require additional policy and science work in order to implement and their desire to work with the County to implement their efforts. Ms. Windrope also

requested Council support for the continuation of SJI to secure funding for implementation and begin assessment of a terrestrial eco-system and will continue to seek grant funding to support this. She thanked the Council for their support. The panel answered questions from the Council and the Council shared their appreciation regarding the SJI and their efforts. The following action took place:

Moved by Ranker, seconded by Knapp, to adopt the Resolution supporting implementation of the San Juan Initiative’s recommendations for improving shoreline protection. Motion carried unanimously.

Moved by Ranker, seconded by Myhr, to send a letter to Bill Ruckelshaus and David Dicks asking they prioritize implementation of these recommendations in continuing support of our staff [to leverage foundation support]. Motion carried unanimously.

2:00 p.m. – WSU Beach Watcher Program Update: Present: Tom Schultz, WSU Extension Agent; and Shann Weston, WSU Beach Watch Program Coordinator. Mr. Schultz, present to provide a comprehensive look at the program, explained that the program is comprised of volunteers and funded through the Environmental Protection Agency. Ms. Weston spoke about training the volunteers, who promote science based marine stewardship through education, research, public awareness, and example, fostering marine stewardship ethics in visitors and residents. Mr. Schultz and Ms. Weston answered questions from the Council.

2:50 p.m. – (Commenced at 3:12 due to time constraints.) Briefing on the Coffelt Conservation Easement: Lincoln Bormann, Land Bank Director, explained that the Land Bank did not purchase the entire Coffelt property, but that the Conservation Easement was merged with their fee interest and their plan is to re-write a Conservation Easement with the Preservation Trust for the 10 acre portion of the parcel that will remain in the family. He explained the basic issue for consideration is to determine a building envelope where structures may be placed on that 10 acre parcel. Mr. Knapp thanked Mr. Bormann and said this would be back for consideration next week.

3:46 p.m. – Stimulus Package: Mr. Ranker referenced the list of tentative items to be included in the Stimulus Package and encouraged department heads to prepare and permit projects for bridges, stormwater projects, county buildings, and park and recreation facilities now so they are ready to go within 120 days of any possible award.

3:48 p.m. – Lobbyist Discussion: Mr. Ranker asked the Council for their opinion regarding Mr. Little and said that he spoke with Mr. Rose, who suggested a three month contract. Mr. Rosenfeld said he thought he would be an excellent choice, but was concerned about the cost at \$3,000 per month, but that he said he was confident that if we gave him two months he could prove his value. Mr. Peterson said he was interested in seeing a proposed scope of work and fee structure. Council discussion took place regarding availability of other lobbyists, Mr. Little’s familiarity with our area, and the upcoming legislative session. The following motion was made:

Moved by Ranker, seconded by Knapp, to direct the Administrator to work with Mr. Little to develop a plan to come back to the Council for approval next week. Mr. Lichter questioned the presumption in Mr. Ranker’s phrasing “to come back with a plan for adoption.” Mr. Ranker **amended his motion to state, “our administrator and Mr. Little should sit down to develop a plan that they think makes sense for SJC and bring it back to the Council. The amendment was accepted by Mr. Knapp.** Council discussion took place. **The motion carried with Lichter and Myhr opposed.**

RECOGNITIONS

Employee & Council Recognition: Mr. Rosenfeld honored the following employees for their years of service:

Employee	Years of Service	Employee	Years of Service
Carol Legate, Health & Community Svcs	30	Fay Chaffee, CD&P	10
Employee	Years of Service	Employee	Years of Service
Connie Sundstrom, Law & Justice	25	Mark Tompkins, Health & Community Svcs	10
Bud Sears, Public Works	20	Andrew Wood, Public Works	10

Tom Eades, Sheriff's Department	20	Jo George, Auditor's Department	5
Scott Brennan, Sheriff's Department	20	Martha Sharon, Health & Community Svcs	5
Neal Cale, Public Works	20	Timothy Rudman, Public Works	5
Kathryn Hansen, Parks Department	10	Brendan Cowan, Sheriff's Department	5
Joan Tucker, CD&P	10	Felix Menjivar, Sheriff's Department	5

Mr. Rosenfeld read proclamations for departing Council members **Kevin Ranker** and **Alan Lichter**, and presented them with an inscribed gavel. A recognition pot-luck luncheon followed.

PUBLIC HEARINGS

11:10 a.m. – (Commenced at 11:19 due to time constraints.) A **public hearing** was held to consider an Ordinance designating an agent to receive claims. Present: Council Chair Rosenfeld, Council Members Kevin Ranker, Rich Peterson, Gene Knapp, Alan Lichter; and Bob Myhr; County Administrator Pro Tem, Ron Henrickson; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown (remotely); Auditor, Milene Henley; and interested members of the public. Ms. Henley presented the Ordinance, naming the Auditor as the agent to receive claims filed against SJC, and a Resolution naming the Agent. Public testimony was opened, none submitted, and closed, with the right to reopen reserved.

Moved by Myhr, seconded by Knapp, to adopt the Ordinance of SJC appointing an agent to receive claims for damages. Motion carried unanimously.

Moved by Myhr, seconded by Knapp, moved to accept a Resolution to name an agent to receive claims for damages. Motion carried unanimously.

1:30 p.m. – (Commenced at 1:43 due to time constraints.) A **public hearing** was held to consider an Ordinance adopting a Fee for Solid Waste Services provided by San Juan County. Present: The full Council, seated as the Solid Waste Disposal District Board; County Administrator Pro Tem, Ron Henrickson; Ed Hale, Utilities/Solid Waste Manager; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown (remotely); and interested members of the public. Mr. Hale explained that the Solid Waste Services fees do not have an impact on the General Fund Budget and reviewed the request of a 5.66 percent increase across the board, to become effective on April 1, 2009. Mr. Hale answered questions from the Council. Public testimony was opened, submitted, and closed, with the right to reopen, and the following action took place:

Moved by Myhr, seconded by Knapp, to adopt an Ordinance adopting the fee for solid waste services for SJC. Motion carried unanimously.

2:20 p.m. – (Commenced at 2:27 due to time constraints.) A **public hearing** was held to consider a Resolution for the Turtleback Management Plan. Present: Council Chair Rosenfeld, Council Members Kevin Ranker, Rich Peterson, Gene Knapp, Alan Lichter, and Bob Myhr; County Administrator Pro Tem, Ron Henrickson; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown (remotely); Land Bank Director, Lincoln Bormann; Land Steward, Eliza Habegger; and interested members of the public. Mr. Bormann reviewed the Stewardship Management Plan process and public outreach. He explained that the plan was designed to provide public access, while preserving cultural and ecological resources and that testimony and passionate statements from a lot of people influenced allowing certain amounts and types of public use, access, and reserve plans. He said in areas that they didn't want the public to enter would not be fenced, but they would not put trails in those areas. Mr. Bormann and Ms. Habegger answered questions from the Council. Councilmen Ranker and Lichter inquired about the exclusion of mountain bike access, and Mr. Bormann explained that mountain bike use was still under consideration, but not currently allowed due to the incline of the trail and resulting safety issues, but assured the Council that alternative routes would be looked at for allowing mountain bikes in the future. He also stated that one of the stronger core user groups had not been in favor of multiple use or mountain bikes and that their concerns need to be considered. Public testimony was opened, submitted by two individuals, and closed, with the right to reopen.

Council discussion took place and Mr. Rosenfeld suggested that if the plan is adopted, to put in on a future agenda to review the public access element of the plan. Mr. Lichter stated that the Land Bank is doing a terrific job, but that he sensed resistance on the part of the Land Bank for providing space for mountain bike users and

suggested placing a date by which trail use for mountain bikers would be accommodated for and the following action took place:

Moved by Myhr, seconded by Knapp, to approve a Resolution to adopt a Stewardship and Management Plan for the Turtleback Mountain Preserve and request the Land Bank come back in six months to provide a progress report. Mr. Lichter offered a friendly amendment that when the Land Bank returns with its plan, that it be specific about the use of trails for mountain bikers. Mr. Myhr did not accept the amendment. Mr. Bormann explained that as they go forward from this point, they will be planning for all types of access, including mountain bikes. **Motion carried with Lichter abstained.**

Mr. Ranker then inquired about penalties that would be imposed for disallowed uses. Ms. Habegger said the Land Bank had no enforcement authority but that she is currently working with Ms. Vedder, Deputy Prosecuting Attorney to give the Land Bank general enforcement authority.

3:00 p.m. – (Commenced at 3:16 due to time constraints.) A **continued public hearing** was held to consider an Ordinance adopting the SJC Budget for 2009. Present: Council Chair Rosenfeld, Council Members Rich Peterson, Gene Knapp, Alan Lichter, and Bob Myhr; County Administrator Pro Tem, Ron Henrickson; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown (remotely); Milene Henley, Auditor; and interested Department Heads and members of the public. Mr. Henrickson suggested waiting until Mr. Ranker returned for this critical action. Mr. Myhr said he had reviewed budget numbers one final time with Mr. Rose and Ms. Henley and that his questions had been satisfied. Ms. Henley noted in summary, that the new County Budget is a total of \$51,592,880, which represents a \$16,738 decrease over the budget at the public hearing level. Of that \$13,996,248 is the current expense portion, which represents a \$14,824 decrease over the public hearing level. She explained that the drivers resulting in a decrease were benefit reductions, severance pay reductions, and liability insurance, with new information, was reallocated among the funds, decreasing liability insurance for current expense. Mr. Peterson asked for the ending reserve figure, to which Ms. Henley replied \$1.266 million. Mr. Rosenfeld opened public testimony, which was submitted by two individuals, and closed with the right to reopen. Council discussion took place and the following motion was made: Moved by Knapp, seconded by Myhr, to add \$25,000 to the Assessor's budget to restore an appraiser position to full time, with the potential of the addition of \$300,000 in revenue for the county. The motion failed with Ranker, Peterson, and Lichter opposed. The following action took place:

Moved by Lichter, seconded by Ranker, to adopt Ordinance of SJC, Washington, adopting an Annual Budget for the year 2009, setting for the estimated revenues and appropriations. Mr. Ranker suggested the motion reflect the dollar amount and Mr. Lichter amended the motion to include the amount of \$51,592,880. Motion carried with Knapp abstained.

Following the vote, the Council shared reflections on the budget process and their concerns for the future. Mr. Lichter summed up the conversation by stating that he was pleased to put forth the motion to adopt this budget because it was the best everyone working together could do at this point, but felt strongly during this budget crisis, that the pain was not shared equally in this County.

4:00 p.m. Council Chair Rosenfeld announced that the Council would be holding an **executive session**, estimated to last approximately 10 minutes, to discuss real property acquisition pursuant to RCW 42.30.100 (1) (b) The session ended at 4:11 p.m. for an actual session time of 11 minutes. No action was taken.

ADJOURNMENT - Moved by Lichter, seconded by Knapp, to adjourn the meeting at 4:12 p.m. Motion carried. The next regular meeting was scheduled for Monday, December 15, 2008 and the next regular Tuesday meeting was scheduled for December 16, 2008.

These Minutes were approved and signed on Tuesday, December 16, 2008. The original document is retained in the Council's permanent proceedings file. Attest: Lisa J. Brown, Deputy Clerk.