

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

Monday, September 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 10:04 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 Clerks, Lisa Brown and Maureen See; and interested members of the public were present.

CLERK UPDATE

Clerk Larson reported that Mr. Johnson had researched multi-disk DVD burners for recording Council Sessions for distribution. He provided several options, recommending the 7 DVD burner, with a hard drive for \$893.75. Mr. Myhr inquired about the budget, and was advised by Ms. Larson that the funds were available. Mr. Rosenfeld authorized Staff to make the purchase. Ms. Larson referenced a corrected motion in the February 11 and 12, 2008 Minutes and the Council agreed to rescind the Minutes for February 11 and 12, and re-adopt the corrected Minutes on consent. She then referenced the letter to the Puget Sound Partnership, requesting continued support for salmon recovery projects, for review and addition to the Consent Agenda. **The Council reviewed and edited the letter prior to the lunch break and agreed by Consensus to sign it. Deputy Clerk See** reported that the Lopez Island Library Board recommended the appointment of Tina Katzenberger to fill the vacancy on their Board. Mr. Myhr requested to have this appointment added to the Consent Agenda. Discussion regarding the Council policy of advertising all committee positions followed. Mr. Myhr explained that the Library Boards were not County committees, but required formal approval by the Council. Mr. Ranker asked to see how the opening was advertised. Ms. See said she would get a copy of the ad and reminded the Council of the substantial costs on committee advertising. She offered the Staff's recommendation to take a more conservative approach, advertising for all committees two or three times per year. Ms. See reviewed upcoming meetings, attendance, and registration with the Council. **Mr. Lichter reported that Mr. Metcalf, a Lopez Island member, had resigned from the Veterans Advisory Board (VAB), and recommended Jay Brant, also from Lopez and previously interviewed by committee, be placed on consent as his replacement. The Council agreed by consensus.** Mr. Rosenfeld asked Ms. See to send thank you letters to all who apply for committees. Ms. See provided a photo copy of the ad for the Lopez Island Library position and **the Council agreed, by consensus, to add the appointment of Ms. Katzenberger to the Consent Agenda.**

ADMINISTRATIVE MATTERS

Council schedules, agendas, and Minutes were reviewed.

COUNCIL MEMBER UPDATES

Ferries/FAC/Ferry Subcommittee – Mr. Rosenfeld reported on the ferry meeting of commissioners and mayors, stating that he sent his comments by e-mail. It was decided that instead of hiring a lobbyist an e-mail network with State Representatives would be implemented. The economic impact study, initially estimated to cost \$50 thousand, was scaled back to \$25 thousand, and will utilize studies already compiled up and down the Sound for Phase 1. Phase 2 would meet state requirements by being more comprehensive, and be paid for by the state. Council discussion followed. **Joint WSF/Council/FAC Public Meeting** - Mr. Rosenfeld attended the FAC meeting this morning and reported that WSF is eliminating any service that might cause overtime. Council discussion followed regarding how to contest reductions in service to the San Juan Islands, especially when the Hiyu is in service, and the importance of having Ms. Satran attend the Transportation Summit. **Stormwater Subcommittee** – Mr. Peterson reported that the “talking points” were almost together and is hopeful that Mr. Gaylord will have the ordinance ready as public outreach commences. **Legislative Priorities** – Mr. Myhr reported on the WSAC meeting he attended, stating that in an effort to modernize county government, WSAC is looking into new sources of funding to hire administrators and provided the Clerk with this report. WSAC policy statements and legislative priorities were reviewed. It was noted that unfunded mandates, full funding for WSF, funding for Mental Health, and funding for Lead Entities for Salmon Recovery were included. Missing from their list was funding to support writing a Stormwater Manual for rural counties, but WSAC staff will include in their next

iteration. Mr. Myhr also brought up an issue of concern to SJC, the documentation of voice mail and e-mail, and associated costs, noting that it was met with little interest. Mr. Myhr said he would continue to push for SJC priorities. **Rainwater Rights** – Mr. Rosenfeld explained that permits for catchment systems need to come from the State, unless a county has been granted the rights by the Department of Ecology (DOE). SJC is currently in the process of applying for these rights. **Lobbying Subcommittee** – Mr. Ranker asked to have this item removed from regular council discussion since funds have been allocated to support lobbying efforts. No consensus was reached. **County Roads and Chipseal** – Mr. Knapp praised Public Works (PW) for the excellent job they have done on the roads on Orcas Island. Mr. Ranker and Mr. Myhr added that Lopez and San Juan work should also be recognized. The Council agreed to send a letter to PW Staff, commending them on their fine work. **Charter Completion Subcommittee** – Mr. Knapp reported on several ordinances ready to come before the Council and the public: code enforcement, MRC, and Health & Community Services. He suggested reviewing and re-defining requirements for committee involvement. Mr. Ranker cautioned that the Council invited two representatives from the state to serve on the Water Resource Management Committee (WRMC). **Smart Growth** – Mr. Lichter used this update time for another issue. **Liquid Natural Gas (LNG) Tankers** – Mr. Lichter reported that the Islands Trust Council would be signing resolutions at the end of September, banning LNG Tankers from going through Georgia Strait and has asked SJC to join them. Without this ban, 36 super-tankers will go through the Strait each year. Mr. Ranker pointed out that super-tankers are already prohibited in the Strait of Juan de Fuca, but agreed that this is something that SJC needs to pay attention to. Mr. Ranker requested more information and suggested checking to see if the Washington State Oil Spill Advisory Council (OSAC) was tracking this and if their executive director, Jacqui Brown Miller, would come to brief the Council. Mr. Lichter agreed to follow up on this. **Crosswalk** – Mr. Rosenfeld reported that the Town Council is reluctant to mark a crosswalk on the north side of the intersection, at Reed and Second Streets, because it would eliminate two valuable parking spaces. Mr. Myhr commented that it would be better to lose parking spaces than lives. Mr. Knapp pointed out that each side of the intersection is a crosswalk whether it is marked or unmarked. **The Council reached consensus to press this further with the Town Council.**

COUNTY ADMINISTRATOR ITEMS

1. Assessor Briefing regarding Agriculture Conservation Program (ACP) and Public Benefit Rating System (PBRS): Also present: Charles Zalmanek, Assessor; and Ron Henrickson, CD&P Associate Planner. Mr. Rose invited Mr. Zalmanek and Mr. Henrickson to speak regarding the results of the Assessor's request of property owners registered under Agriculture Open Space to self-audit and provide their records. Mr. Zalmanek reported that some have provided records, while others state they are too old, and/or unable to find someone to farm their land for them. Mr. Zalmanek explained ways of providing alternatives by working with the ARC to find farmers, and by authorizing an Agriculture Conservation Program, which is allowed by state law. Mr. Zalmanek stated that he is researching other counties and the PBRS they are using. Mr. Zalmanek and Mr. Henrickson answered questions from the Council.

2. Discussion of 24/34 mpg Policy: Mr. Rose stated the report on this was forthcoming.

3. Update on GMA Supreme Court Decision: Also present: Jon Cain, Deputy Prosecuting Attorney. Mr. Cain reported on a Thurston County appeal on a Growth Management Hearings Board (GMHB) decision regarding their Comprehensive Plan and UGA updates. Mr. Cain provided details of the case regarding UGA size and supply percentages, market factors, and rural densities, stating that the Supreme Court remanded the decision back to the GMHB to reconsider and decide whether higher densities are urban, whether local circumstances warranted a different conclusion, whether those densities would preserve the rural character, and whether they would achieve a variety of urban densities. He explained that this decision supports the use of market factors, which were used by SJC in Eastsound and Lopez Village. Mr. Cain answered questions from the Council.

4. Shoreline Hearings Board (SHB) decision on Hughes Dock: Also present: Randall Gaylord, Prosecuting Attorney (PA). Mr. Gaylord reported that the application for a dock on the North side of Pearl Island, previously approved by SJC, was denied by the SHB. He stated that this needs to be considered in terms of how SJC administers the code regarding future dock cases and provided details. He stated the most likely appellant is the applicant and recommended that the County not appeal the case. Mr. Gaylord answered questions from the Council.

DISCUSSION

12:30 p.m. – Legislative Priorities: Mr. Myhr noted that the main priorities were now in place and expressed an interest in having more information regarding Capron Funds, including: what they are, why we had them, what happened to them, and what we want, to clearly state in discussions with Legislators why SJC deserves full restoration of the Capron Funds. Ms. Larson was asked to prepare this. It was decided that a short description on each initiative would be helpful and those were assigned as follows: Mitchell Hill statement, Lincoln Bormann; Septic Loan Program, Mr. Myhr and for Mr. Myhr to continue to press this with the Coastal Counties Caucus; Rescue Tug, Mr. Ranker; Cattle Point Road Erosion, Jon VanLund; Odlin South, Mr. Myhr; Septic Loan, Mr. Myhr; Basic Education, Mr. Rosenfeld; and Washington State Ferries, Mr. Myhr. Mr. Myhr then asked everyone to submit their work to Ms. Larson.

Mr. Knapp raised the subject of county roads and the following action took place:

Moved by Knapp to send a letter to Public Works commending them on their excellent work on County roads, especially the recently chipsealed roads on Orcas Island and Lopez. Mr. Ranker seconded this motion amending it to include roads county-wide. Council discussion took place. The motion carried unanimously.

RECESS - At 1:23 p.m., Council Chair Rosenfeld recessed the meeting until 10:00 a.m., Tuesday, September 9, 2008.

Tuesday, September 9, 2008 - Council Hearing Room – Legislative Building, FH

CALL TO ORDER – REGULAR TUESDAY MEETING

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 Clerks, Lisa Brown and Maureen See; and interested members of the public were present.

The flag salute was conducted.

CITIZEN ACCESS TIME

Jack Cory asked the Chair to pause after inviting the public to join in the Pledge of Allegiance, to allow everyone time to stand.

John Evans congratulated Mr. Ranker on running an effective campaign. He added that if he makes it through he believes he will be a very effective senator for our area. He commented on the cost of the County Fair admission, stating it could be high enough to eliminate a lot of middle and lower income people who would really enjoy attending. Lastly, he stated that being a smoker (not that he is proud of it, just his circumstance), that the Council taking any further action than the 25' rule, would be a mean-spirited approach to people who have the same difficulty that he has. He feels the current regulations are sufficient and the Board of Health (BOH) could take an aggressive approach in encouraging people to not start smoking.

OATHS OF OFFICE

Ms. Henley reported that since the Clerks of the Council perform legal responsibilities for the County Council, they need to be sworn in. Clerk Ann Larson; and Deputy Clerks Lisa Brown and Maureen See; recited their oaths of office.

APPROVAL OF MINUTES

Moved by Lichter, seconded by Myhr, to approve the Minutes of **August 25 and 26, 2008**. Motion carried.

CONSENT AGENDA

5/23/2016

17:36:49 PM

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

A. Resolutions/Ordinances:

1. A Resolution clearing title from the recording of San Juan County Resolution 15-2008, John W. & Valerie K. Yukluk, TPN 251421004.
2. A Resolution establishing a \$50 Postage Fund for use by the Department of Licensing to mail documents from the Orcas DOL Satellite Office.

B. Contracts/Agreements:

1. An Interlocal Agreement between San Juan County and San Juan County Fire Protection District No. 4 to share San Juan County small works roster, vendor list and list of firms providing architectural and engineering services kept by the County.
2. Interagency agreement between WA State Dept of Ecology and SJC Dept of Health and Community Services for administering and enforcing well tagging, sealing, and decommissioning components of Chapter 173-160 WAC.

C. Budget Items: Approve Warrants:

- . Warrants # 49817 in amount of \$2,000 for urgent request to reimburse Sheriff's Investigative Fund
- . Warrant #49816 in amount of \$285,000 for Earnest money for Orcas Dock Acquisition
- . Warrant #49827-49857 in amount of \$198,531.60 for Public Works
- . Warrant #49503-49525 in amount of \$7,148.12 for medical reimbursements
- . Warrant #49501-49502 in amount of \$1,176 for Veterans' assistance
- . Warrant #49530-49573 in amount of \$209,953.95 for Public Works
- . Warrant #49574-49708 in amount of \$129,629.78 for County Claims
- . Warrant #49858-49955 in amount of \$134,462.94 for County Claims
- . Warrant #50417 in amount of \$7,486.96 for Public Works Excise
- . Warrant #49527 in amount of \$100 for Veteran's Assistance

D. Personnel: (No items.)

E. Appointments:

1. A letter appointing Tina Katzenberger to the Lopez Island Library Board, Position #3, beginning September 1, 2008 and expiring August 31, 2013.
2. A letter appointing Lt. James S. Brant, USN Ret. To the SJC Veteran's Advisory Board to fill the term left by the resignation of Ron Metcalf. The term begins immediately and expires on 12/31/09.

F. Correspondence:

1. Letter to William Ruckelshaus supporting Puget Sound Recovery Projects for the 2009-11 Biennium.

G. Miscellaneous: Rescind the Minutes of February 11 & 12, 2008. Adopt the revised Minutes of February 11 & 12, 2008

H. Bid Openings: (No items.)

Motion carried.

ACTION AND DISCUSSION ITEMS

COUNCIL MEMBER UPDATES

Ferries – Mr. Rosenfeld reported that the Governor was not invited to attend the Transportation Summit, but that Ms. Satran, her aide, was invited. Mr. Ranker recommended sending a formal written invitation to Ms. Satran, on behalf of the Council, encouraging her to attend. Mr. Rosenfeld provided a summary of the Ferry Meeting that he and Mr. Peterson attended, and informed the Council that the meeting scheduled for this Sunday had been postponed until October. **Veterans' Advisory Board (VAB)** – Mr. Lichter reported that the VAB moved to provide assistance to a SJC Veteran who is raising three school-aged children as a single parent. **Cell Phone Tower Taskforce** – Mr. Peterson reported that he is impressed with the experienced representation on the committee and is confident he will return with a recommendation by the end of the month.

ORDINANCES/RESOLUTIONS:

RES. NO. 69-2008- (Refer to PUBLIC HEARINGS, 11:00 a.m. for details of action taken.)

RES. NO. 70-2008- (Refer to PUBLIC HEARINGS, 11:00 a.m. for details of action taken.)

PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

COUNCIL DISCUSSION/UPDATES:

11:20 a.m. – (Commenced at 11:38 due to time constraints.) **Impact of reduced Real Estate Excise Tax (REET) on the 2008 Budget:** Present: Lincoln Bormann, Land Bank Director; and Nancy Jones, Land Bank Commission Chair. Mr. Bormann provided a graph showing a decline in funds since 2005. He noted that although the Land Bank carries a substantial debt load, due to bonding, their proposal to deal with the REET shortfall, and future eventualities, is to maintain a fund balance to cover their annual operational costs of \$500 thousand. He also pointed out that the shortfall is due to the reduction in sales (down 25% from this time last year) rather than the reduction in value of properties. Mr. Bormann answered questions from the Council.

11:35 a.m. – (Commenced at 11:46 due to time constraints.) **Briefing on Resolution to accept the deed on W. Sundstrom Property:** Lincoln Bormann, Land Bank Director. Mr. Bormann reported that the Sundstrom family is in the position of having to sell a significant portion of their property to pay state taxes. He stated that the Sundstroms wanted to be assured that the pieces sold to the Land Bank would remain as they have been for the past 90 years. Mr. Bormann explained that the Land Bank is making this purchase in partnership with the San Juan Island Preservation Trust, which agreed to pay \$500 thousand towards the purchase. He explained that the Land Bank would secure a conservation easement and then resell the property to the Preservation Trust, resulting in the trust holding the fee and the Land Bank holding the conservation easement. He informed the Council that acceptance of the deed would be on the Consent Agenda next week.

11:50 a.m. – Board of Health (BOH) Recommendation: Councilman Lichter reported that a recommendation had come from the Board of Health to ban smoking on all SJC owned property. Mr. Peterson pointed out that he had the dissenting vote on the BOH action to make the recommendation. He stated that although he respects the decision, he foresees problems with enforcement and actualizing such a prohibition. After Council discussion, Mr. Rosenfeld stated that the Council might benefit from hearing testimony from Dr. James and participating in the October 15th, 2008, workshop [Options for a Healthy San Juan County] and the following action took place:

Moved by Peterson, seconded by Knapp to table the discussion for two months. Motion carried with Lichter and Myhr opposed.

2:00 p.m. – (Commenced at 2:18 due to time constraints.) **Budget Proposal – Restricted Funds & General Government:** Milene Henley, Auditor. Ms. Henley provided a PowerPoint presentation regarding funds that are overseen by the Auditor. The majority of these funds are restricted funds, which statutorily can only be used for designated purposes and are managed as separate funds for accountability. She provided information on the following funds: Veterans' Assistance Fund, Dog License Fund, Lodging Tax Funds – first and second 2% monies, Document Preservation Fund, Crime Victims Fund, Criminal Justice Receiving Fund, Bond Redemption Fund, Insurance Cumulative Reserve Fund, and the General Administration Fund, which covers the Hearings Examiner, Public Defender, State Audit, office supplies, insurance and safety, youth programs, and the food bank. Ms. Henley answered questions from the Council.

3:00 p.m. – Briefing on Code Enforcement Ordinance: Randall Gaylord, PA; and Jeff Wasnick, CD&P Code Enforcement Officer. Mr. Gaylord presented a PowerPoint presentation on the SJC code enforcement policy. He reviewed purposes, goals, and intent, and gave an overview of approaches taken on specific categories of cases, and who, or which agency, is responsible for enforcement. Mr. Gaylord and Mr. Wasnick reported on various violation scenarios and steps taken to remedy them. He invited suggestions from the Council. Mr. Peterson, referencing a packet received from an Orcas Island resident, asked if there was an emergency stop work order – to take effect immediately - that could be instituted in cases that were time sensitive. Mr. Gaylord said these are usually in the building context, are also available for land use options, but must involve health and safety. He said the best alternative we have now is an injunction that would take 24 to 48 hours. Discussion followed regarding imposing sanctions on violators (land owners and contractors), and reversing the “do the work first, then get an after-the-fact permit” mentality, that can't be disregarded, such as imposing fines and/or jail time. Mr. Wasnick pointed out that the way the system is set up now is to issue a correction notice, then a violation notice, and in some instances until this notice is issued, a civil penalty cannot be levied. Mr. Gaylord explained that this delays fines until there is an opportunity for correction, in effect alleviating fines. Mr. Knapp read a statement from an

article in the Journal of the San Juan Initiative, by Bill Ruckelshaus, former head of the FBI and US Attorney, who stated “the County has a lack of follow-through and that the County’s permit process is a culture problem – that you do what you want to do and there are no penalties.” Discussion followed regarding compliance plans, violations, fines, and enforcement. It was noted that of 100 complaints of violations in the past six months, only one fine had been issued and collected. Mr. Ranker requested a proposal addressing issues of complaint follow-up procedures, proposed penalty fee structure, and staffing needs. Mr. Knapp pointed out that the regulations need to be reasonable, and not too burdensome, or they will add to the problem. He suggested a session between Mr. Gaylord and the Charter Completion Committee. Mr. Ranker suggested including Mr. Wasnick, Mr. Henrickson, and Mr. Rose. Mr. Myhr concurred, stating that a follow-up provision for compliance needs to be built into permitting and suggested the Charter Completion Committee be renamed the General Government Subcommittee for this issue, as it is not a charter issue. Mr. Wasnick said he was prepared to meet with that committee after spending many hours of his own time researching codes from other states, looking at their systems, and ways to improve here by “making the process more responsive, holding people accountable, and encouraging citizens to acquire proper permitting ahead of time.”

COUNTY ADMINISTRATOR COUNCIL BRIEFING

County Administrator Council Briefing. Also present: Rev Shannon, Interim Director of the Fair; and interested members of the public.

1:30 p.m. – Joint Fair Board Meeting & Post Fair Review: Mr. Shannon provided a preliminary report on the 2008 SJ County Fair. He presented data on attendance and gate revenue, noting that vendor revenue is still coming in. Zip code data collected showed that there were 750+ out-of-county visitors, however during busy times gate-keepers were unable to record zip code information. The total amount collected in gate fees was \$110,495. Mr. Shannon stated that the Fair Commission, of the Washington State Department of Agriculture, has a fair rating index of 980 points and gave the SJC Fair a score of 942. This translates into money from the state in the way of premiums and ribbons. He reported that the Agricultural Resource Committee took over the agriculture tent and did a fine job. Mr. Peterson raised a concern over admission fares and inquired about a donation offer he had for reinstating the free gate for kids. Mr. Shannon explained that the fair is currently revenue neutral, but said he would consider donations and expressed a desire to look at other types of revenue-generating events that could utilize the fairgrounds throughout the year, to offset gate and participation fees for next year. Concerns were also raised about the carnival rides provided by Paradise Entertainment. Mr. Shannon explained that with mechanical devices, “things happen.” He also stated that he had done research on injury percentages and that this particular carnival is very low nationwide and not any more dangerous than driving down the street. Mr. Shannon also explained that the County is under contract until 2011 with Paradise Entertainment. Mr. Shannon answered questions from the Council and the Council commended him on a fine job. Mr. Shannon introduced board members, Brad Fincher, Josephine Bangs, and Sandy Wylie-Echeverria. Mr. Rose reported that two fair items are currently being considered under the annual docket; the land use designation and revamping the CUP. He noted that expanding on these uses could generate revenue and commented that the Pavilion is a fabulous investment of lodging tax money.

PUBLIC HEARINGS

10:20 a.m. - A public hearing was held to consider an Ordinance amending the UDC regarding Annual Amendments. Present: Full Council; Shireene Hale, Senior Planner; Ron Henrickson, CD&P Director; Pete Rose, County Administrator (CA); Ann Larson, Clerk to the Council; Lisa Brown, Public Hearings Specialist; and interested members of the public. Ms. Hale presented her Staff Report and an Ordinance proposed by Staff to help resolve the planning backlog accumulated over past few years. She noted that the Planning Commission recommended denial due to a concern that the public would have difficulty tracking changes to the UDC if they took place more than once per year. Ms. Hale explained that most code changes are required by state law and each time an Ordinance is adopted, the public is notified. She added that while these proposed amendments would allow CD&P to take the projects on in “manageable bites,” the significant backlog, due to a mismatch between State Laws, requirements in the Comprehensive Plan, County Code, Expectations of the Community, and resources available, will also require more time and staffing to complete. The Planning Commission recommendation suggested that if the Council were to adopt the Ordinance, that it should have a two-year sunset clause. Ms. Hale and Mr. Henrickson answered questions from the Council. Public testimony was opened, submitted by four individuals (three who opposed the Ordinance and one who was in favor of the Ordinance), and

closed. Mr. Rosenfeld reserved the right to continue the hearing and public testimony due to concern that more review was necessary and asked for agreement to continue.

Moved by Lichter, seconded by Knapp, to continue the public hearing to September 23, 2008. The motion carried unanimously.

Mr. Rose asked if he could provide follow-up information to the Council. Mr. Peterson requested testimony from the Planning Commission. Mr. Lichter requested clarification on the PC ruling. Mr. Rosenfeld stated that the 8 counties neighboring SJC make UDC changes at any time during the year and asked if there are any Washington State Counties that make only annual changes. Mr. Peterson requested advice from the PA on the definition of emergency changes and what constitutes an emergency.

11:00 a.m. – (Commenced at 11:11 a.m. due to time constraints.) A public hearing was held to consider a Budget Ordinance amending the San Juan County's 2008 Budget for Supplementals and Transfers, and an Ordinance Amending San Juan County's 2008 Budget for Emergencies. Present: Full Council; Lincoln Bormann, Land Bank Director; Pete Rose, County Administrator (CA); Ann Larson, Clerk to the Council; Lisa Brown, Public Hearings Specialist; and interested members of the public. Ms. Henley provided her Staff report regarding budget amendments for supplementals and gave an overview of where the funds were designated and what they were to support. Ms. Henley answered questions from the Council. Mr. Bormann presented his Staff Report regarding Emergency Appropriations and provided information regarding the property and six easements and associated stewardship transfers by the Land Bank. Mr. Bormann answered questions from the Council. Public testimony was opened, none submitted, and closed. Deliberations were held and the following action was taken:

Moved by Peterson, seconded by Knapp, to adopt the Budget Ordinance amending San Juan County's 2008 Budget for Supplementals and Transfers, as advertised. Mr. Lichter offered a friendly amendment that funding for tazers be withheld. The amendment was not accepted. **Motion carried with Lichter and Ranker opposed.**

Mr. Ranker commented on his vote regarding the Land Bank budget, stating that he is opposed to the budget due to concern regarding plans for Turtleback Mountain, which lack outreach to the mountain bike community. He stated that since he cannot direct the Land Bank to address this more fully on constituent issues, he is left with opposing the budget. Mr. Myhr noted that the Land Bank ordinance was set up in a manner to provide for public participation and input into its program and avoid specific interference in carrying out its mission in its budgetary process.

Moved by Peterson, seconded by Lichter, to adopt the Budget Ordinance amending San Juan County's 2008 Budget for Emergencies, as advertised. Motion carried unanimously.

3:30 p.m. - A public hearing was held to consider an Ordinance amending Ordinance 21-2007, an Ordinance Adopting Rules of Council Procedure. Present: Full Council; Stan Matthews, Communications Program Manager (CPM); Pete Rose, County Administrator (CA); Ann Larson, Clerk to the Council; Lisa Brown, Public Hearings Specialist; and interested members of the public. Mr. Matthews presented his Staff Report and the final mark-up of the Ordinance. Public testimony was opened, none submitted, and closed. Deliberations were held and the following action was taken:

Moved by Myhr, seconded by Knapp, to adopt an Ordinance amending section 2.04 of the San Juan County Code, Rules of Procedure for the San Juan County Council. Motion carried.

EXECUTIVE/CLOSED SESSIONS

4:00 p.m. – Council Chair Rosenfeld announced that the Council would be holding an **executive session** estimated to last approximately 10 minutes, to evaluate performance of a public employee, continued pursuant to the provisions of RCW 42.30.110(1)(g). The session ended at 4:07 p.m. for an actual session time of seven minutes. No action was taken.

ADJOURNMENT - Moved by Peterson, seconded by Lichter, to adjourn the meeting at 4:08 p.m. Motion carried. A Meeting was scheduled for Monday, September 15, 2008, and a Special Meeting was scheduled for Tuesday, September 16, 2008, on Lopez Island.

These minutes were approved and signed on Tuesday, September 15, 2008. The original document is retained in the Council's permanent proceedings file. Attest: Lisa J. Brown, Deputy Clerk.