

**MEETING MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
November 17, 18, and 19, 2008**

**Monday, November 17, 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 10:03 a.m. Council members Kevin Ranker, Rich Peterson, Gene Knapp, and Bob Myhr; 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.

**EXCUSED ABSENCES**

Moved by Peterson, seconded by Myhr, to **excuse Mr. Lichter's absence** for a planned vacation. Motion carried unanimously.

**CITIZEN ACCESS TIME**

There were no public comments submitted.

**CLERK UPDATE / ADMINISTRATIVE MATTERS**

**Clerk Larson** reported on Veterans' assistance on Councilman Lichter's behalf. She noted that a thank-you letter to David Troutt [Nisqually Tribe, and Salmon Recovery Funding (SRF) Board member] had been added to the Consent Agenda. Mr. Ranker commented on this, explaining that Mr. Troutt's work towards providing funding to SJC demonstrates the collaborative effort he is putting forth. Ms. Larson reported on the Washington State Association of Counties (WSAC) Conference she attended November 13-16, 2008. Regarding the Open Public Meetings Act (OPMA), she stated that SJC is doing very well overall, but needs to improve on Committee notices. She also stated that tracking of electronic documents will be required beginning July 1, 2009. Council discussion followed regarding uniform business rules and training for advisory bodies. Mr. Rose explained that he is currently working on a program to address this and suggested conveying the material to the committees on each island, with Council members from those islands present to thank them for their work.

**Deputy Clerk See** provided an update on committee representation and the following action took place:

**Moved by Ranker, seconded by Myhr, to place Jim Sesby on the Consent Agenda for an appointment to the ARC. Motion carried unanimously.**

Moved by Myhr, seconded by Ranker, to place Gordon Jonessen on the Consent Agenda for an appointment to the FAC. Discussion regarding a residency or voter requirement took place and the motion was withdrawn due to lack of information regarding this.

**Moved by Myhr, seconded by Peterson, to appoint Mary Blackstone from Orcas Island to the Land Bank Committee. Motion carried unanimously.**

**Moved by Myhr, seconded by Peterson, to appoint Sandy Playa to the LTAC. Motion carried unanimously.**

**Moved by Peterson, seconded by Ranker, to appoint Kurt Long to the Planning Commission. Motion carried unanimously.**

The Council then shared names of individuals they knew were interested in serving on various committees with Ms. See and inquired about the advertising cycle. Other advertising media was also discussed. Ms. See suggested reinstating sending letters to exiting committee members, thanking them for their service. The Council requested that she do so.

Council schedules, agendas, and Minutes were reviewed and amended.

ACTION ITEMS

**ORDINANCES/RESOLUTIONS**

**RES. NO. 78-2008-** (Refer to DISCUSSIONS, 1:30 p.m., for details of action taken.)

**RES. NO. 79-2008-** (Refer to DISCUSSIONS, 1:30 p.m., for details of action taken.)

COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS

**COUNCIL MEMBER UPDATES**

**Washington State Association of Counties (WSAC):** Mr. Myhr reported on the adoption of the WSAC policy and legislative position statements at the WSAC Conference business meeting on Friday. He stated new Council member training sessions are scheduled for December 9-11, 2008, and a day session that might be beneficial for committee chairs to attend regarding OPMA, in Mount Vernon on December 3, 2008. Mr. Peterson inquired about the budgeting dilemma counties are faced with, noting that he hadn't seen a call for an action agenda regarding this. Mr. Myhr noted that budgeting problems were discussed, but no action was taken, except those voiced in policy statements and legislative positions regarding the need to find new sources of funding for counties. Mr. Rosenfeld noted that it is incumbent upon the legislature to come up with some way that counties can increase revenues like cities can, which is a high priority for WSAC this year. He added that there was a small budgeting session that he attended and offered to share his notes with the Council. Mr. Ranker stressed the importance of associating jobs as a critical component of any requests made for funding.

**PSP Action Agenda:** Mr. Ranker stated that Barbara Rosenkotter, San Juan Initiative (SJI) Lead Entity (LE) Coordinator, would be commenting on the specific items listed under the PSP Action Agenda for SJC. He shared his disappointment in WSAC's position statement, in which their comments were not based on what had been submitted by the individual counties they represent. He noted that several counties are commenting individually to the PSP and recommended SJC do the same, and to include specifics outlined by Barbara Rosenkotter. The Council concurred and Mr. Ranker asked Ms. Larson and Mr. Rose to prepare a letter to the PSP for signature in session on Wednesday.

**Budget Discussions:** Mr. Ranker commented on the reduction in the Council's travel and lobbying budgets and urged them to maintain the \$8,000 for lobbying. He asked the Council to consider having the lobbyist for the city of Bellingham come to SJC to describe his work there and what it would entail to do the same for SJC. The Council agreed to have him come and present his program.

**Coastal Counties Caucus (CCC):** Mr. Rosenfeld reported that the CCC passed all of SJC's requests. Mr. Ranker then provided more detail on this and a pilot program for addressing rural stormwater regulations, through which participation may provide a "stay" on [Growth Management Act (GMA)] stormwater compliance until the study concludes.

**Ferries/FAC/Ferry Subcommittee:** Mr. Rosenfeld reported that the bid opening for the Island Home design ferry was \$30 million above the estimate. Council discussion followed.

**COUNTY ADMINISTRATOR ITEMS**

Present: Pete Rose, County Administrator; Ron Henrickson, Community Development & Planning (CD&P) Director; Bob Low, SJC Fire Marshal; Dona Wuthnow, Parks Director; and interested members of the public.

**1:00 p.m. Proposed 2009 Fee Ordinance, CD&P, Fire Marshal, and Parks:** Mr. Rose explained that the preliminary budget was based on fee increase assumptions and provided a brief summary of the proposed fees. He then introduced the Directors to provide details specific to their departments.

**CD&P:** Mr. Henrickson reported that the proposed fee increase of 5.5 percent applies to the non-building fees, and is based on the building portion, which is already set through a change in valuations. He explained the proposed surcharge on large homes (over 3,500 square feet), is 15 percent, which is necessary due to the change from progressive fees to flat fees. The stormwater fee, currently at \$160, had been absorbed by the

utility, but Mr. Henrickson anticipates, by 2009, would be absorbed by CD&P. The fee would need to be in excess of \$430 if CD&P had a full-time staff person to facilitate the number of permits issued in 2007. Due to budget constraints, he is suggesting reducing the program by 0.5 FTE and setting the fee at \$245, noting that at this rate CD&P would be able to approve permits but not provide customer service and education. Mr. Henrickson answered questions from the Council regarding permit extensions, renewals, inspections, and enforcement.

**Fire Marshal:** Mr. Low explained that when the program was initiated the idea was that the fees would cover the cost of the Fire Marshal position and provided an overview of department revenues, expenses, and projections for fees. Mr. Low answered questions from the Council regarding the increases.

**Parks:** Ms. Wuthnow reported on the proposed changes, including increases to camping fees at San Juan County Park, which has the highest demand of any SJC parks, and the Village Green fee schedule on Lopez, affecting the Farmers' Market. Ms. Wuthnow answered questions from the Council.

Mr. Rose concluded, stating that the hearing regarding these fee increases is scheduled for December 2, 2008.

## DISCUSSION ITEMS

Present: Milene Henley, Auditor; Jon Shannon, Public Works (PW) Director; Mike Copas, ER&R Manager; John VanLund, County Engineer: and interested members of the public.

**11:00 a.m. Quarterly Financial Review: 3<sup>rd</sup> Quarter 2008** – Ms. Henley provided a PowerPoint presentation for the third quarter financial review, including data through October to assist in projections to year-end. Ms. Henley anticipates revenues in property and sales tax to reach 100 percent of the year-end budget and expenses to come in at approximately 96.5 percent, ending the year at 1.778 million, slightly over the 1.5 million projected in the budget. She attributes this to the recent influx in sales tax revenue that she believes will offset the reduced excise tax. She provided several long-range budgeting models to forecast SJC sustainability timelines. One scenario included a levy lid lift, but Ms. Henley stated that due to Initiative 727, even with a lid lift, current staffing and/or service levels could not be restored entirely and remain sustainable. Ms. Henley answered questions from the Council.

**1:37 p.m.** (Added item.) **Solid Waste Fees:** Mr. Shannon presented a recommended rate increase of 5.66 percent, which is contained in the Public Works 2009 preliminary budget, to cover costs of contracted increases for disposal and recycling, and maintaining the current level of service. Mr. Shannon answered questions from the Council regarding coordination with SWAC, hazardous waste, e-waste and Department of Ecology (DOE) incentives, and recycling.

**1:30 p.m.** (Commenced at 1:42 due to time constraints.) **Local Option Capital Asset Lending Program:** Mr. Shannon explained that the State's attorney decided last week that the Ordinance passed by the Council in July, authorizing the acquisition of the Orcas Landing property and authorizing the County Administrator to execute the documents needed to be on their forms, and referenced the documents for Council review. Mr. Shannon answered questions from the Council and the following action took place:

**Moved by Myhr, seconded by Peterson, to approve the resolution approving reimbursement from the Local Option Capital Asset Lending program. Motion carried, with Lichter and Ranker absent.**

**Moved by Myhr, seconded by Knapp, to approve the resolution for authorization of the acquisition of real property, an execution of a Local Agency Financing Lease, and related documentation relating to the acquisition of the Orcas Landing property, pursuant to Ord. 41-2008. Motion carried with Lichter and Ranker absent.**

Mr. Shannon pointed out the importance of achieving GMA compliance. He said that PW had applied for grant funding from the Recreation and Conservation Office (RCO), to fund a portion of this dock acquisition. In the scoring of the application, contending for \$880,000 in funds, SJC came in at 0.7 points less than a similar project in Clarke County. He said that SJC had lost one point for not being GMA compliant and Clarke County had received one point for being GMA compliant. The \$735,000 difference resulted from whether Washington State Community Trade and Economic Development (CTED) would have certified GMA compliance for SJC.

**2:00 p.m.** (Commenced at 1:52 due to time constraints.) **Public Works Budget:** Mr. Rose explained that Mr. Shannon was available to provide specific information in key areas that the Council had questions regarding, based on other budget deliberations. Mr. Shannon provided an organizational chart that included a precise (full-time equivalent) FTE count for his staffing in the budget for year 2009, including seasonal laborers, which totaled 72.51 FTE. Mr. Shannon and Ms. Henley answered questions from the Council. Mr. Shannon then provided information regarding the fleet distribution, including “rolling” stock inventory, where it is located and the age of the stock, a list of items on the auction block, and a complete list of inventory. He commented on the success in reducing fleet with the hook-lift program, which converts one chassis into several different types of equipment. Mr. Shannon answered questions from the Council.

#### EXECUTIVE/CLOSED SESSIONS

**11:30 a.m.** – (Commenced at 11:37 due to time constraints.) Council Chair Rosenfeld announced that the Council would be holding an **executive session**, estimated to last approximately 30 minutes, to discuss Labor Contract Negotiations pursuant to RCW 42.30.140 (4) Participants: Pamela Morais, Human Resource Manager and the labor negotiating team. The session ended at 12:13 p.m. for an actual session time of 30 minutes. No action was taken.

**ADJOURN** – Moved by Peterson, seconded by Knapp, to adjourn the meeting at 2:08 p.m. Motion carried unanimously.

<b>Tuesday, November 18, 2008 - Council Hearing Room – Legislative Building, FH</b>
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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, and Bob Myhr; 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.

#### **EXCUSED ABSENCES**

Moved by Ranker, seconded by Myhr, to **excuse Mr. Lichter’s absence** for a planned vacation. Motion carried unanimously.

#### **CITIZEN ACCESS TIME**

**Christopher Laws** addressed the Council to put a face to proposed county lay-offs, the affect it will have on a person’s life, and to personalize the consequences of government that does not live within its means.

**John Ginnich**, a plans examiner whose job is not being cut, spoke regarding the reductions that will occur in the level of service with the proposed cuts, and pointed out that all reductions are in the area of [support] staff, no management positions.

**Jason Hensel**, a building inspector, expressed concern regarding being recently hired and relocating to accept his position. He addressed the 50 suggestions posted by employees on the website and questioned the response to only a few, and urged the Council to raise taxes and fees, noting that most people aren’t too afraid when they see the services provided.

**Floyd Cornett**, came before the Council as an “outsider looking in.” He praised the County on the improvement to the level of service by CD&P, and does not want to see permitting digress back to an eight month turn-around time.

**Pierrette Guimond**, addressed the Council to request reappointment to her Orcas Island Library Board position, which expires at the end of this year. She also urged the Council to deny the noxious weed tax increase.

**Anne Hay**, an Orcas island resident, spoke in support of the noxious weed board and their work.

**Deanna Johnson**, came to speak on behalf of herself and all of the others being laid off. She explained that she was hired last year, replacing someone who had held the position for the past 24 years, and that the loss would not only impact her, but also the Health Department and the community. She implored the Council to keep these jobs.

**Mike Kaill**, a Friday Harbor resident, urged the Council to maintain the planning team, which has finally gotten up to full muster, catching violators and educating builders to do the right thing. Regarding the noxious weed tax, he stated he couldn't believe there was a question that for five dollars the noxious weed program could be brought up to scale and urged the Council to give both issues favorable consideration.

### **APPROVAL OF MINUTES**

Moved by Ranker, seconded by Knapp, to approve the **Minutes of November 3, 4, and 5, 2008**. Motion carried.

### **CONSENT AGENDA**

Moved by Ranker, seconded by Knapp, to approve the **Final Consent Agenda of November 17, 2008**, as follows:

**A. Resolutions/Ordinances:** (No items.)

**B. Contracts/Agreements:** Agreement for use of Clallam County Detention Facilities

**C. Budget Items:** Approve Warrants:

- Warrants #53379-53437 in the amount of \$151,258.13 for Public Works
- Warrants #53268-53378 in the amount of \$76,436.44 for County Claims
- Warrant #53438 in the amount of \$189,782.30 for County Claims

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

**E. Appointments**

1. A letter correcting the appointment of Bruce Orchid to the Planning Commission from an expiration date of May, 2009, to a term beginning January 1, 2009 and expiring December 31, 2013.
2. A letter appointing Jim Sesby to the SJC Agricultural Resources Committee, Position #1, filling a seat vacated by Christina Dahl-Sesby. The term begins immediately and ends August 31, 2011.
3. A letter reappointing Sandy Playa to the SJC Lodging Tax Advisory Committee, as a Receiver, the new term beginning January 1, 2009 and expiring December 31, 2012.
4. A letter reappointing Mary Blackstone to the SJC Land Bank Commission, Position #2, beginning January 1, 2009 and expiring December 31, 2013.
5. A letter appointing Kurt Long to the SJC Planning Commission, Member #3, beginning immediately and expiring on December 31, 2012.

**F. Correspondence:**

1. A letter to David Trout, Director of Nisqually Natural Resources, thanking him for his support of San Juan County's Lead Entity Program

Motion carried.

### ACTION ITEMS

### **ORDINANCES/RESOLUTIONS**

**ORD. NO. 48-2008-** (Refer to PUBLIC HEARINGS, 2:00 p.m., for details of action taken.)

**ORD. NO. 49-2008-** (Refer to PUBLIC HEARINGS, 2:00 p.m., for details of action taken.)

**ORD. NO. 50-2008-** (Refer to PUBLIC HEARINGS, 2:00 p.m., for details of action taken.)

**ORD. NO. 51-2008-** (Refer to PUBLIC HEARINGS, 2:00 p.m., for details of action taken.)

**ORD. NO. 52-2008-** (Refer to PUBLIC HEARINGS, 2:00 p.m., for details of action taken.)

### COUNCIL DISCUSSION/UPDATES/OTHER ACTION ITEMS

## COUNCIL MEMBER UPDATES

**Ferries/FAC/Ferry Subcommittee:** Mr. Rosenfeld introduced Ed Sutton, FAC Chair, present to report from the Joint Transportation Committee meeting he attended on Monday. Mr. Sutton referenced the Kathy Scanlan and John Boylston, JTC Consultant, report, which reduces the replacement plan for SJC. Mr. Sutton found this troubling. Mr. Ranker concurred and Council discussion took place. Mr. Ranker also recommended that a letter be sent to Paula Hammond, Secretary of Transportation, urging the WSF to proceed with the original plan to build two 144-car ferries as quickly as possible.

## COUNTY ADMINISTRATOR COUNCIL BRIEFING

Present: Pete Rose, County Administrator; David Dicks, Executive Director of the Puget Sound Partnership (PSP); Amy Windrope, San Juan Initiative Project Coordinator; and interested members of the public.

**1:30 p.m. Puget Sound Partnership:** Mr. Dicks reported that the PSP action agenda, which is the new comprehensive plan for the restoration of the Puget Sound by 2020, is under review, currently in the comment period. He provided background on the PSP and highlighted Mr. Ranker's involvement. He identified the goals of the PSP as developing an action agenda, putting efforts into place, and building accountability. He then reported on the specifics of the action agenda, and steps being taken towards achieving their goals; difficulties they have encountered and work being done to resolve these issues. Mr. Dicks answered questions from the Council and concluded by stating that being clear to industry groups about the PSP goals, bringing credibility to the business side, and working with them will help determine the best implementation methods.

## PUBLIC HEARINGS

**10:20 a.m.** – (Commenced at 10:27 due to time constraints.) A public hearing was held to consider the Baker Timber Open Space (TOS) Application #08TOS001. Present: Council Chair Rosenfeld, Council Members Kevin Ranker, Rich Peterson, Gene Knapp, and Bob Myhr; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown; Shannon Fitzgerald, Planner; Peter Wango II, representative of the Applicant and interested members of the public. Ms. Fitzgerald presented her Staff Report and provided details regarding the application. She explained how the applicant was able to address two obstacles regarding access and acreage, through assistance of forestry expert, Will Hamilton, and recommended approval of the application. Ms. Fitzgerald answered questions from the Council. Public Testimony was opened, submitted by Peter Wango II, representative for the applicant, and closed with the right to reopen if necessary. Deliberations were held and the following action was taken:

**Moved by Peterson, seconded by Ranker, to approve the Baker TOS Application #08TOS01. Motion carried unanimously.**

**10:30 a.m.** – (Commenced at 10:35 due to time constraints.) A public hearing was held to consider a Parcel Assessment Change Ordinance. Present: Council Chair Rosenfeld, Council Members Kevin Ranker, Rich Peterson, Gene Knapp, and Bob Myhr; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown; Amanda Azous, Noxious Weed Control Board Chair; and Rich Lee, SJC Noxious Weed Control Program Field Coordinator; and interested members of the public. Ms. Azous reminded the Council that the SJC citizens voted this tax on themselves and that much of the negative public comment was actually directed at PW due to what is taking place in the rights of way. She reviewed the tax structure as a flat tax, not dependent on property values. She added that citizens have provided comment indicating that this isn't an onerous increase. Ms. Azous answered questions from the Council. Mr. Ranker was interested in the jobs this money would support. Public Testimony was opened, submitted by four individuals - one opposed and three in favor of the tax increase, and closed reserving the right to reopen. Ms. Azous answered additional questions from the Council and deliberations took place. The following motion was made:

**Moved by Ranker, seconded by Myhr, to continue the hearing to Dec. 9, 2008.** Under discussion, Mr. Peterson stated that he would not support the motion and suggested putting it back to the ballot. Mr. Knapp suggested that PW pay for the assistance they receive from the weed board. Mr. Rosenfeld was in favor of the continuation not to lose gains already made. Ms. Azous, Mr. Shannon, and Mr. Lee, clarified several points. Mr. Knapp commented that after hearing testimony from people recruited from other areas, now being laid off, that he

was not in favor of continuing the hearing. Mr. Myhr suggested taking another look at accessing funds in silos. Mr. Ranker said his biggest concern was the County not treating staff on the Noxious Weed Board appropriately. **The motion failed with Peterson and Knapp opposed.**

Mr. Ranker asked Mr. Rose to provide more information regarding the PW/Weed Board relationship. Ms. Azous said it would have been respectful to have Mr. Lichter here for this vote. Mr. Rosenfeld closed the public hearing at 11:14 a.m.

**2:00 p.m.** – (Commenced at 2:10 due to time constraints.) A continued **public hearing** was held to consider Ordinances for the annual docket amendments to the Unified Development Code (UDC) and Comprehensive Plan. Present: Council Chair Rosenfeld, Council Members Kevin Ranker, Rich Peterson, Gene Knapp, and Bob Myhr; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Public Hearings Specialist, Lisa Brown; Shireene Hale, Senior Planner; Julie Thompson, Associate Planner; Alan Shayo, Permit Coordinator; Jon Cain, Deputy Prosecuting Attorney; and interested members of the public.

**2:11 p.m.** – A continued public hearing was held regarding the **Essential Public Facilities (EPF) Ordinance**. Ms. Hale provided background information and noted that no additional comments had been received. She pointed out that corrections were made to be consistent with recommendations from the PA in the November 17 version of the Ordinance. Mr. Myhr stated that in order to be consistent with that process, the Fair and Barge Landing would also need to be removed from the EPFs listed. Deliberations were held and the following action was taken:

**Moved by Myhr, seconded by Ranker, to adopt the November 17, 2008 version of the Ordinance Amending the SJC Comprehensive Plan to allow for EPFs. Motion carried unanimously.**

**2:17 p.m.** - A continued public hearing was held to consider the Wilcox Collingsworth Site Re-Designation Ordinance. Ms. Thompson reviewed the transfer of lands between State Parks and private individuals and provided background regarding the re-designation. Ms. Thompson said the Planning Commission was in support of this action and recommended approval.

**Moved by Knapp, seconded by Peterson, to adopt an Ordinance Re-designating approximately 60 acres from publicly owned conservancy with a density of zero, to forest resource with a density 20 and re-designating approximately 106 acres from forest resource, with a density of 20, to publicly owned conservancy, with a density of zero on the SJC Comprehensive Plan Land Use Map. Motion carried unanimously.**

**2:20 p.m.** - A continued public hearing was held to consider the UDC Amendment Ordinance. Ms. Hale explained that the ordinance was modified according to changes requested by the Council at the prior hearing. Mr. Myhr stated his preference for making changes on an annual basis, but would go along with colleagues since there is a sunset clause in the ordinance. He stressed the importance of having enough time to make clear and careful changes with plenty of opportunity for citizen input when making changes to the Comprehensive Plan and UDC. The following motion was then made:

**Moved by Peterson, seconded by Knapp, to approve an Ordinance amending Chapter 18.90 of the SJC Code, to eliminate the timing limitation for amendments to the SJC UDC, Title 18, to clarify amendment procedures and ensure consistency with the SJC Charter and State Law. Motion carried unanimously.**

**2:24 p.m.** - A continued public hearing was held to consider an Ordinance amending ADU Procedures. Mr. Shayo stated there was no new public testimony submitted on this matter. He also reported that he had drafted proposed procedures that would be coming before the Council in the next couple weeks. Mr. Myhr commented that the approval at this point is limited to changing over to the lottery system and that approval for the procedure would come at a later time. Mr. Shayo confirmed this and the following action took place:

**Moved by Peterson, seconded by Knapp, approval of the Ordinance amending Section 18.40.240 of the SJC Code regarding procedures for the issuance of permits for detached accessory dwelling units. Motion carried unanimously.**

**2:26 p.m.** - A continued public hearing was held to consider the Critical Aquifer Recharge Area (CARA)/Critical Areas Ordinance. Ms. Hale explained that Island County is still designated as a CARA island-wide, and noted additional written public testimony for the record. Ms. Hale and Mr. Cain answered questions from the Council. Deliberations were held and the following action took place:

**Moved by Myhr, seconded by Ranker, to approve the draft CARA Ordinance. Mr. Ranker submitted a friendly amendment to place a two-year sunset on the map designations designating the entire county, which was accepted by Mr. Myhr. Motion carried with Peterson opposed.**

#### EXECUTIVE/CLOSED SESSIONS

**11:30 a.m.** – Council Chair Rosenfeld announced that the Council would be holding an **executive session** estimated to last approximately 15 minutes, to discuss Litigation pursuant to RCW 42.30.110(1)(i). Participants: Jon Cain, Deputy Prosecuting Attorney. The session ended at 11:46 p.m. for an actual session time of 16 minutes. No action was taken.

**ADJOURNMENT** - Moved by RP, seconded by BM, to adjourn the meeting at 2:41 p.m. Motion carried. A Special Meeting was scheduled for Wednesday, November 19, 2008, at 8:45 a.m.

<b>Wednesday, November 19, 2008 - Council Hearing Room, Legislative Building, FH</b>
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#### **CALL TO ORDER – SPECIAL MEETING AND WORK SESSION**

Council Chair Howard Rosenfeld called the Special Meeting to order at 8:24 a.m. Council members Kevin Ranker, Rich Peterson, Bob Myhr; County Administrator, Pete Rose; Clerk to the Council, Ann Larson; Deputy Clerk, Maureen See; and interested members of the public were present.

#### **EXCUSED ABSENCES**

Moved by Myhr, seconded by Ranker to **excuse Gene Knapp and Alan Lichter**, both for personal reasons. Motion carried unanimously.

#### **COUNCIL MEMBER UPDATES**

**Puget Sound Partnership (PSP):** **1)** Mr. Ranker reported on the PSP Orca Whale Population meeting held last night at the UW Labs, which focused on impacts to the Southern Resident Killer Whale population. A short-term solution mentioned was to put resources directly into San Juan County to bolster programs to such as Soundwatch and various research projects, which would also provide an economic stimulus to SJC. **2)** Council Chair Rosenfeld asked the Council to review a letter to David Dicks, Executive Director of the PSP, outlining the Council's areas of focus for the Action Agenda. Several corrections were suggested by the Council to be incorporated into the final draft.

**Odlin Park Acquisition:** Mr. Myhr reported that Representatives Jeff Morris and Dave Quall would be coming to Lopez on December 1, 2008, for an Odlin Park site-visit.

**Legislative Priorities/Communications:** Mr. Ranker suggested that the Council send a letter to Peter Goldmark, the new Commissioner of Public Lands, to welcome him into his new role and share the Council's legislative priorities.

#### **BUDGET SESSION**

Mr. Rose explained that the next step in the budgeting process is to determine a budget level to publish for a public hearing, which will require setting an agreed upon ending fund balance. He pointed out that revenues are higher than predicted, \$54,000 to the good, and the Auditor projected a 1.78 million ending fund balance, nearly \$300,000 more than anticipated. He reported on offsets and errors, including \$133,600 in severance costs not included in budget calculations, and named several other negative impacts that were not accounted for in the preliminary budget. He added that he is hopeful there is enough in Capital Funds to close on properties by year's

end, without having to transfer from County Current, which would cut further into the ending fund balance. Council discussion followed regarding add-backs, the potential for a levy lid lift to keep from continual cut-backs, the Auditor's forecast models, and the need to have a plan for recovery – knowing that to gain public support the Council needs to show credibility. Specific add-backs discussed were adding .4 FTE to sustain the dispatch operation and improving court security, retaining the juvenile probation officer on Lopez, restoring .5 FTE Department Assistant/Reservationist in Parks (who also coordinates volunteers), \$50,000 back in health programs, keeping the Council department assistant at .5 minimum, adding \$5,000 to Council travel/lobbying, \$25,000 for seniors' transit, possibly using lodging tax funds to keep Eastsound and Shark Reef restrooms open, **grant funding for the MRC and ARC coordinator positions**, retain more youth programs on Orcas and Lopez (with the possibility of encouraging a recreation tax on Orcas and Lopez), and the CD&P position. It was pointed out that the add-ins discussed amounted to \$186,866 and Ms. Henley said this exceeded the available amount by over \$100,000 and stated, "The fact is, we do have to lay people off." Mr. Ranker stated that he was unwilling to go further without the other two Council members present. Mr. Rose asked if the Council wanted to see what the budget would look like with new calculations on December 2, 2008. Mr. Ranker said he wanted to see a budget including the items the Council just listed. Mr. Myhr concurred. Mr. Peterson said he did not have a problem listing the items to continue the process, although he may not agree with all additions. Mr. Ranker also inquired about managerial positions cut and requested a print-out, including lay-offs and FTE reductions, to further explore the situation. He heard a great deal of anger at a meeting he attended last week, when people felt the need to blame someone for the current crisis. Mr. Myhr pointed out that the Council is also reducing its budget by \$72,000 with the outgoing members. Mr. Rosenfeld suggested that the elected officials also forego a (Cost of Living Adjustment) COLA increase and discussion followed regarding asking the Salary Commission to forego the Council's COLA increase.

## **CORRESPONDENCE**

Changes to the letter to David Dicks were reviewed and approved and the following action took place:

**Moved by Ranker, seconded by Myhr, with suggested changes as a friendly amendment, which were accepted by Mr. Ranker. Motion carried unanimously.**

Mr. Myhr inquired about authorizing Mr. Rosenfeld to sign a letter regarding the ferries asking for two 144 car ferries. The following action took place:

**Moved by Ranker, seconded by Myhr, to authorize the Chair to sign a letter to WSF based on the dialogue in yesterday's session. Motion carried unanimously.**

Taking a reduction by requesting that the Salary Commission approve no COLA increase for Council members was brought up by Mr. Rosenfeld, who said that he had discussed this with the newly elected Council members and that they were in favor of this.

**Moved by Peterson, seconded by Myhr, to send a letter to the Salary Commission asking to forego giving the Council a COLA increase for 2009. Motion carried unanimously.**

It was also discussed to send a letter to other elected officials, suggesting they not accept COLA increases due to the budget crisis.

**Moved by Myhr, seconded by Peterson, to authorize the Chair to send a letter to the other elected officials stating that the Council has taken action to forego COLA increases for 2009 and that we are asking them to consider doing so as well. Motion carried unanimously.**

**ADJOURNMENT** - Moved by Ranker, seconded by Myhr, to adjourn the meeting at 10:59 a.m. Motion carried. A Special Meeting was scheduled for Monday, December 1, 2008, on Lopez, and the next regular meeting was scheduled for Tuesday, December 2, 2008.

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**These Minutes were approved and signed on Tuesday, December 2, 2008. The original document is retained in the Council's permanent proceedings file. Attest: Lisa J. Brown, Deputy Clerk.**