

**SUMMARY OF THE MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
JULY 17 AND 18, 2006**

**Monday, July 17, 2006 - Council Hearing Room**

**CALL TO ORDER**

Council Chair Lichter called the special meeting to order at 10:00 a.m. Council Member Myhr; County Administrator Pro-Tem, David Goldsmith; Randall Gaylord, Prosecuting Attorney; Laura Arnold, SJC Consultant; and Interim Clerk of the Council, Carolyn Morrison, were present. Council Member Ranker was excused for a planned vacation.

**PUBLIC MEETINGS/WORK SESSIONS**

**10:00 a.m.** – The Council met for a weekly Staff Meeting and Council Work Session regarding various business of the County. At 10:30 a.m., the Council reviewed new information provided by the Prosecutor regarding a proposal to have the Council hear appeals of Hearing Examiner decisions. The matter will be discussed further when Councilman Ranker returns. No action was taken.

**1:30 p.m.** – The Council toured the Carlson Building with Space Planner Ann Williamson and other County Officials while waiting for the availability of the Hearing Room, which was being utilized by District Court. At 2:20 p.m., the Council, Council Interim Clerk, Ann Williamson of Tonkin Hoyan Lokan, Administrator Pro-Tem, and available elected County Officials and Department Heads met in the Hearing Room for a presentation of revised options for reconfiguration of the Courthouse facility space and Carlson building for several County offices. During and following the presentation, the Council allowed questions from the participants. Additionally, discussions were held on new cost estimates and potential alternatives to the designs presented. Some suggestions presented were not feasible for the Law and Justice members because they would result in lack of access to the Law Library. Councilman Myhr noted that Councilman Ranker needed to be included in any decisions and stated that he wanted time to review the new material. Councilman Lichter noted that at this time he was in favor of the Council remaining in the Courthouse. The Council Clerk offered that Council Ranker had telephoned the office to convey he wished to remain in the current Council offices. No action was taken.

**RECESS** - At 3:32 p.m., Council Chair Lichter recessed the meeting until 10:00 a.m., Tuesday, July 18, 2006.

**Tuesday, July 18, 2006 - Council Hearing Room**

**CALL TO ORDER**

Council Chair Lichter called the meeting to order at 10:00 a.m. Council Member Myhr; County Administrator Pro-Tem, David Goldsmith; and Interim Clerk of the Council, Carolyn Morrison, were present. Council Member Ranker was excused for a planned vacation. The flag salute was conducted.

**CITIZEN ACCESS TIME**

No matters were brought before the Council.

**ANNOUNCEMENTS/SCHEDULE CHANGES**

1. The posted Council Agenda and Discussion/Other Action Agenda were revised.
2. Mr. Goldsmith introduced Mr. Chris Johnson, Supervisor of the WA State Audit Team, currently performing the annual audit of SJC. He explained the process to the Council and audience.
3. Chair Lichter announced that a new report on space planning would be scheduled for 4:00 p.m. today.

**APPROVAL OF MINUTES**

Moved by Myhr, seconded by Lichter, to approve the minutes of **July 10 and 11, 2006**. Motion carried.

**CONSENT AGENDA**

Moved by Myhr, seconded by Lichter, to approve the **Final Consent Agenda of July 18, 2006** as follows:

**A. Resolutions/Ordinances:**

1. **Ordinance 11-2006** – Adopt the ordinance establishing rules to apply to the construction of a principal residence after the construction of a certain lawful freestanding accessory dwelling unit for a period of five years, pursuant to the public hearing held July 11, 2006.
2. **Resolution 39-2006** - Adopt the resolution to acquire the Revella Property on San Juan Island as described in Exhibit A "Property Description" for the sum of \$220,000 less credits at closing from the Conservation Area Fund; authorize the Director of the Land Bank to sign all other documents necessary to affect the purchase of the Revella Property, including any necessary closing documents; and, accept a Statutory Warranty Deed from the sellers, Stephen and Adele Revella, pursuant to the public hearing of July 11, 2006 approving the 2006 SJC Land Bank Amended Expenditure and Acquisition Plan II.

**B. Contracts/Agreements:**

1. **Agreement 06HC34A** – Sign the amendment to Interlocal Agreement 05SJC47 between SJC and Northwest Educational Service District No. 189 providing seventy-two additional hours at the billing rate of \$33 per hour for a total of \$2,376 and new maximum agreement amount of \$21,876 to support school nursing services to be performed by June 30, 2006, with all other terms and conditions of the original agreement to remain in effect.

**C. Appointments:**

1. Approve the appointment of Michael Ahrenius to the SJC Marine Resources Committee (MRC) as representative of the Port of Friday Harbor, to fill the unexpired term of Victoria Parker which will expire June 30, 2009, noting a concurrent recommendation from the MRC in their letter dated January 5, 2006, and email dated July 10, 2006.
2. Approve the appointment of Allan Adler to the Orcas Island Library Board of Trustees (OILBT) to fill the unexpired term of Leonard Wood which will expire December 31, 2008, as recommended by the OILBT in their letter dated July 10, 2006.

**D. Correspondence:**

1. Sign the letter to Michael Ahrenius confirming his appointment to the SJC Marine Resources Committee as representative of the Port of Friday Harbor, to fill the unexpired term of Victoria Parker which will expire June 30, 2009.
2. Sign the letter to Allan Adler confirming his appointment to the Orcas Island Library Board of Trustees to fill the unexpired term of Leonard Wood which will expire December 31, 2008.

Motion carried.

**ACTION AND DISCUSSION ITEMS**

ORDINANCES/RESOLUTIONS:

**RES. NO. 40-2006** - (Refer to PUBLIC HEARINGS/MEETINGS 2:45 p.m., for details of action taken.)

**RES. NO. 41-2006** - (Refer to PUBLIC HEARINGS/MEETINGS 2:50 p.m., for details of action taken.)

BUDGET ITEMS:

1. (Refer to 1:40 p.m., for details of action taken.)

MISCELLANEOUS ITEMS:

1. **WA State Environmental Education Report** – Council Chair Lichter reported he attended a VIP meeting at the North Cascades Institute that included participation from Whatcom, Skagit and San Juan Counties. This meeting will lead to a November 11 "Summit" on a state-wide environmental education program chaired by Governor Gregoire and Bill Ruckelshaus and will have statewide participation of citizens, governments, NGO's, and foundations. Private foundations will provide funding for the summit.

**2. Snohomish County PUD Proposed Tidal Energy Project in SJC** – Councilman Myhr stated there was not much more known than what had been in the news. However, Mr. Tom Munsey had provided photographs and written information of the preliminary applications for further study. He noted that there is concern for the marine environment if the project is not followed and managed carefully beyond the experimental stage. He added that there is a possibility of something that could be done in an environmentally friendly way that might help with our dependence on fossil fuels. OPALCO will be reviewing the project further at their meeting this Thursday. Mr. Munsey explained that the pilot project is for the Spieden and San Juan Channels to see how it works. There are 115 power generators proposed with large propeller blades. The Council will present updates as they are known.

**3. Shared Strategy/SJC Eco-Based Initiative Agreement Update** – Mr. Goldsmith gave historical information on this project and informed the Council that the Memorandum of Agreement (MOA) was being rewritten to delineate specific responsibilities. The associated project manager position has been posted in the community but will not be filled until an agreement is in place. He explained some of the changes which are being discussed including oversight and technical committees. He estimated that there was approximately \$270,000 in funding for the project at this point. The latest draft was discussed and the Council noted changes that they felt should be incorporated. More information will be forthcoming after another draft MOA is available for consideration.

**4. 4:00 p.m. - Update on Facilities Space Planning Figures and Time Frame** – Dave Zeretzke, Administrative Services Director, passed out a new analysis that he and Ann Williamson had worked on after the meeting yesterday. Available Elected Officials and other staff were present for this discussion. Mr. Zeretzke stated that the latest report answered some of the questions posed the previous afternoon. After a review of the new cost estimates, Mr. Lichter announced that the Council had received a letter from the majority of elected public officials suggesting that the Council move across the street. After commenting on the letter, he stated that he preferred that the Council remain in Courthouse and to make rearrangements of current Council offices to accommodate six Council members. Second issue was that the administrator has permanent offices on first floor of Carlson Building to allow access to everyone. He suggested the remodel of the Hearing Room into a useable dual-purpose Courtroom and Hearing room. Councilman Myhr stated his concerns about the costs associated with these changes. He added that in one week there will be a new County Administrator on board and felt that there may be lobbying. Mr. Myhr explained that he did not feel that there was an urgency to make a decision today. He would like to confer with the Administrator as he had built a new administration building in 24 months start to finish in Woodinville. He had also heard that the Post Office might want to buy the County Annex building. He stated that there are still ideas in the Charter we are trying figure out and he is not willing to “jump in” without thinking. The Council and audience discussed the options, alternatives, and costs in the updated report. The relocation of the Law Library was also discussed. The Prosecuting Attorney would prefer that his staff was located in the same area and was in favor of moving the Law Library across the street to the Carlson Building. **After a lengthy discussion, it was the consensus of the Council not to make a decision today.**

#### **PUBLIC HEARINGS/MEETINGS/WORK SESSIONS**

**11:00 a.m.** - The scheduled monthly meeting of the Board of Health was cancelled.

**1:30 p.m.** - A bid opening was held for public printing and legal documents. Bid specifications were published as required by law. One bid was submitted from the Journal of the San Juans which contained the required information. The following action was taken:

**Moved by Myhr, seconded by Lichter, to forward the bid to the Clerk of the Council and the Administrator Pro-Tem for evaluation and recommendation. Motion carried.**

**1:40 p.m.** – County Administrator Pro-Tem Council Briefing. Also present: Matt Zybas, Utilities Manager and Solid Waste Manager.

**1. Report on the Solid Waste Advisory Committee (SWAC) Meeting Held on Monday at the District #3 Fire Station** – Mr. Zybas reported that those at the meeting decided the County would manage the trash of San Juan Island on the island. Many citizens have participated in these public meetings. There is an open house scheduled for the early part of August and the SWAC and the Consultant will attend to determine if self-haul or curb-side services should be considered. It is hopeful that after this meeting, the SWAC will be able to make determinations and a recommendation to the Council. Tom Munsey, SWAC member, added that there will be some transfer station, whether it is a modification at the current site or at a new site. After discussion on the pros and cons of curbside services versus self-haul, the Council wanted to be certain that the majority of the public was aware of these considerations. In order to reach the majority of the citizens on San Juan Island, an information booth at the fair is being considered.

**2. Update on the Fire District Interlocal Agreement with County** – Mr. Goldsmith reported that the latest discussions involved a solution to the issue of fees coming up short for the services defined, and who would make up the difference in cost. It has been agreed by all districts that all partners should share any shortfall. Four Districts and County make up five parts, and SJC would be a one-fifth partner. Councilman Myhr thanked him for his work in pulling it all together. Mr. Goldsmith said he believed this will new agreement will serve the County very well.

**3. Request to Increase Administrative Assistance position on Orcas Island Recreation District** – Mr. Goldsmith explained that this district has an excess fund balance and will have about \$7,000 left over in 2006. They also want to raise additional funding for 2007. They require Council authority to use this money for the purpose of increasing staff time and this will be treated as an emergency appropriation. He recommended that the Council agree to allow them to spend \$7,000 of their reserves as requested. They have ideas for 2007, but they need permission in 2006 Budget. The Council discussed the request and Chair Lichter asked if increase in hours is warranted. Kathryn Highlander, Parks Department Administrative Assistance, was also present and it was noted that this is also recommended by the Parks Department. The following action was taken: **Moved by Myhr, seconded by Lichter to approve going forward to the Auditor for a public hearing to consider the appropriate emergency appropriation for this request. Motion carried.**

**2:00 p.m.** - A public hearing was held to consider applications and disbursement of the Public Facilities Financing Assistance Program Funding HB 2260 Funds (.08 Funds). Present: David Goldsmith, Administrator Pro-Tem; Si A. Stephens, SJC Auditor, and interested citizens. Mr. Goldsmith reviewed process and recommendations of committee, and the analysis of the Prosecuting Attorney. He answered questions of Council. Public testimony was opened, submitted, and closed. Deliberations were held and the following action was taken:

**Moved by Myhr, seconded by Lichter, to approve the recommendations of the Administrator Pro-Tem and PFFAP Committee as listed in staff report dated June 28, 2006 as follows: Fisherman Bay Sewer - \$25,000; SJC Public Works for Storm Water - \$235,000 (with \$100,000 balance to be considered in 2007); SJC Parks - \$85,000 (with part for repayment to the County for a previous loan); and the Town of Friday Harbor - \$60,000 (Guard Street Project). Motion carried.**

**2:45 p.m.** - A public hearing was held to consider emergency appropriations to the SJC 2006 Budget. Present: Si Stephens, SJC Auditor, and interested citizens. Mr. Stephens answered questions from the Council. Public testimony was opened, none submitted, and closed. Deliberations were held and the following action was taken:

Moved by Myhr, seconded by Lichter, to adopt **Resolution 40-2006**, a resolution to amend the SJC 2006 budget for emergency appropriations. Motion carried.

**2:50 p.m.** - A public meeting was held to consider supplemental appropriations and transfers to the SJC 2006 Budget. Present: Si Stephens, SJC Auditor, and interested citizens. Public comment was opened and none submitted. Deliberations were held and the following action was taken:

Moved by Myhr, seconded by Lichter, to adopt **Resolution 41-2006**, a resolution to amend the SJC 2006 budget for supplemental appropriations and transfers as listed therein. Motion carried.

**3:15 p.m.** - A bid opening was held for road striping on San Juan, Orcas, Lopez and Shaw Islands in San Juan County. Bid specifications were published as required by law. Four bids were submitted. Each bid was signed and three of the four had the required bid bond. The following is a summary of the bids received:

<b>FIRM NAME</b>	<b>TOTAL PRICE</b>
1. Stripe Rite, Inc., Auburn, WA	\$115,337.49
2. Apply A Line, Inc., Pacific, WA	\$ 99,486.11
3. Road Runner, Inc., Puyallup, WA (no bond and no cashier's check)	\$122,758.34
4. Specialized Pavement Marking, Inc., Tualatin, OR	\$ 79,349.45

**Moved by Myhr, seconded by Lichter, to forward the bids to the Public Works Department for analysis and recommendation. Motion carried.**

**EXECUTIVE/CLOSED SESSIONS**

**3:30 p.m.** – Council Chair Lichter announced that the Council would be holding an **executive session** estimated to last approximately 25 minutes, to discuss a matter of litigation pursuant to the provisions of RCW 42.30.110(1)(i). Participants: Karen Vedder, Deputy Prosecuting Attorney. The session ended at 3:50 p.m. for an actual session time of 20 minutes. No action was taken.

**ADJOURNMENT** – Council Chair Lichter adjourned the meeting at 4:32 p.m. Motion carried. The Council will not meet the week of July 24, 2006. A special meeting was scheduled for Monday, July 31, 2006 and the next regular meeting was scheduled for Tuesday, August 1, 2006.

**These minutes were approved and signed on August 1, 2006. The original document is retained in the Council's permanent proceedings folder dated July 17 and 18, 2006. Attest: Carolyn K. Morrison, Clerk.**