

**SUMMARY OF THE MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
JANUARY 16, 2007**

**Tuesday, January 16, 2007 - Council Hearing Room**

**CALL TO ORDER**

Council Chair Myhr called the meeting to order at 10:00 a.m. Council members Ranker, Peterson, Rosenfeld, Knapp, and Lichter; County Administrator, Pete Rose; Prosecuting Attorney, Randall Gaylord; Clerk to the Council, Carolyn Morrison; and interested members of the public were present. The flag salute was conducted.

**CITIZEN ACCESS TIME**

Ralph Hahn, San Juan County Economic Development Council (EDC) member, introduced William Watson, the new EDC Program Coordinator. Mr. Hahn noted that there is no longer an EDC Executive Director and handed out the slate of new EDC officers and grant funding applications for the Council's records

**ANNOUNCEMENTS/SCHEDULE CHANGES**

The posted Council Agenda and Discussion/Other Action Agenda were revised.

**APPROVAL OF MINUTES**

Moved by Peterson, seconded by Rosenfeld, to approve the minutes of **January 8 and 9, 2007**. Motion carried.

**CONSENT AGENDA**

Moved by Peterson, seconded by Rosenfeld, to approve the **Final Consent Agenda of January 16, 2007** as follows:

**A. Appointments:**

1. Approve the reappointment of Jim Nelson to the SJC Lodging Tax Advisory Committee as an At Large representative of the lodging category for a six-month term which will begin immediately and expire June 30, 2007 for the purpose of maintaining a quorum for upcoming meetings during the process of amending the San Juan County Code governing the body.
2. Approve the reappointment of John Messinger to the SJC Lodging Tax Advisory Committee as a representative of the lodging category for a six-month term which will begin immediately and expire June 30, 2007 for the purpose of maintaining a quorum for upcoming meetings during the process of amending the San Juan County Code governing the body.
3. Approve the reappointment of Candace VerBruggen to the SJC Lodging Tax Advisory Committee as a representative of the theatre category for a six-month term which will begin immediately and expire June 30, 2007 for the purpose of maintaining a quorum for upcoming meetings during the process of amending the San Juan County Code governing the body.
4. Approve the reappointment of Thom Pence to the SJC Land Bank as a representative of San Juan Island for a six-month term which will begin immediately and expire June 30, 2007 for the purpose of maintaining a quorum for upcoming meetings during the process of amending the San Juan County Code governing the body.
5. Approve the reappointment of Nancy Greene to the SJC Land Bank as a representative of Lopez Island for a six-month term which will begin immediately and expire June 30, 2007 for the purpose of maintaining a quorum for upcoming meetings during the process of amending the San Juan County Code governing the body.
6. Approve the appointment of Amanda Azous to the SJC Land Bank as an At Large Representative for a six-month term which will begin immediately and expire June 30, 2007 for the purpose of maintaining a quorum for upcoming meetings during the process of amending the San Juan County Code governing the body.
7. Confirm the reappointment of Dr. Frank Eugene James as SJC Health Officer pursuant to the agreement between SJC and Dr. Frank Eugene James.

**B. Correspondence:**

1. Sign the letter to Jim Nelson confirming his reappointment to the SJC Lodging Tax Advisory Committee as an At Large representative of the lodging category for a six-month term.
2. Sign the letter to John Messinger confirming his reappointment to the SJC Lodging Tax Advisory Committee as a representative of the lodging category for a six-month term.
3. Sign the letter to Candace VerBruggen confirming her reappointment to SJC Lodging Tax Advisory Committee as a representative of the theatre category for a six-month term.
4. Sign the letter to Thom Pence confirming his reappointment to the SJC Land Bank as a representative of San Juan Island for a six-month term.
5. Sign the letter to Nancy Greene confirming her reappointment to the SJC Land Bank as a representative of Lopez Island for a six-month term.
6. Sign the letter to Amanda Azous confirming her appointment to the SJC Land Bank as an At Large representative for a six-month term.
7. Sign the letter to Representative Brian Sullivan, Chairman of the Agriculture and Natural Resources Committee, in support for the Northwest Agriculture Business Center and their request for WA State funds.
8. Sign the Certificate to Councilman Alan Lichter in appreciation for his service to the San Juan County Council as the first Chair of the Charter Government.

Motion carried.

## **ACTION AND DISCUSSION ITEMS**

### APPOINTMENTS:

1. **SJC Board of Health (BOH) – (a)** The Council had been given a recommendation from the Town of Friday Harbor (TFH) Council to appoint a new member to replace former TFH Councilman, Howie Rosenfeld. The following action was taken: **Moved by Ranker, seconded by Knapp, to appoint Liz Illg to the SJC Board of Health as a representative of the Town of Friday Harbor Council. Motion carried.** **(b)** Council Chair Myhr then stated that his term on the BOH had expired at the end of December, 2006 with the conclusion of his first term on the Council. He requested that another Council member be considered to serve on the BOH due to the extra duties he will have as Chair of the Council. He recommended Mr. Rosenfeld to fill this vacancy. The following action was taken: **Moved by Lichter, seconded by Knapp, to appoint Howard Rosenfeld to serve on the SJC Board of Health as a representative of the County Council. Motion carried.**
2. **North Sound Regional Support Network (NSRSN) and North Sound Mental Health Association (NSMHA)** – Mr. Myhr explained that these two agencies are not considered liaison assignments and that two Council members actually are appointed as members. He added that he currently serves on both boards and Mr. Ranker serves on the NSRSN, as there are two SJC positions for that agency. He recommended that the Council consider reappointing both Mr. Ranker and himself because of the learning curve and continuity of all that is involved with these two memberships. The following action was then taken: **Moved by Knapp, seconded by Rosenfeld, to reappoint Mr. Myhr and Mr. Ranker to the positions they now hold on NSRSN and NSMHA. Motion carried.**

### MISCELLANEOUS ITEMS:

1. **Presentation of Certificate of Appreciation to Former Chair Lichter** – Mr. Myhr explained that the Council had approved a Certificate of Appreciation for Mr. Lichter on the Consent Agenda which would be signed later in the day. He expressed the Council's thanks for the leadership Mr. Lichter had given during his term as the first Chair of the Council under the Charter form of government. Mr. Lichter graciously accepted.
2. **Proposed Interlocal Agreements for Law Enforcement and Emergency Dispatch Services** - Present Sheriff Bill Cumming; King Fitch, Town of Friday Harbor (Town), Administrator; and interested citizens. The Council had requested that the Sheriff come before the Council to explain the monetary remuneration in each of the proposed agreements to better understand how payment for the services his department provides is calculated. Sheriff Cumming presented a history of law enforcement within the County; the Town's transition from a Town Marshal to utilization of the Sheriff's services; the complexities of the enactment of providing E-911 services throughout the State following the passage of a voter-approved telephone tax; the tie-in of an addressing system for all County residence and business addresses; the consolidation under the Sheriff's Department of these multiple services; and, the continuing changes that occur each year for provision of law enforcement and emergency dispatch response to emergency providers throughout the County. He also detailed other revenue sources which help provide funding to offset the costs of these services. He explained that the agreements were

calculated on the percentage of the number of calls received for dispatch service, and the cost of deputies and a vehicle to service the Town. The Council asked specific questions related to the amount of time devoted to the provision of law enforcement to the Town versus all of San Juan Island. Mr. Cumming estimated approximately one-third of the time. He also explained that in areas similar to SJC, he had researched the calculations used in these jurisdictions to see that the contracts for SJC and local agencies were within the norm. This research involved jurisdictions that contract for services between towns/cities and county law enforcement. He assured the Council that the proposed agreements were within the median. He also pointed out that because the Sheriff's Department is the only law enforcement agency in the County, he would be responsible for servicing the Town if there were no contract. Mr. Rosenfeld explained to the Council that in the Town the residents pay a portion of their property tax toward County law enforcement, but have another local tax to help pay for these services within the Town. After discussion, Mr. Ranker suggested that these proposed agreements be placed on the Consent Agenda for the following week and that any changes be addressed at the next budget process. Mr. Myhr asked Mr. Fitch if he had any comments. He replied that it would be more appropriate to discuss them with the Sheriff rather than the County Council. **It was agreed by consensus to place the proposed Inter-local Agreements on the Consent Agenda for January 23, 2007.**

**3. Emergency Funding for Storm Damage** – Mr. Ranker had requested that the Sheriff and Brendan Cowan, Department of Emergency Management Director, be present to review and address the possibility of any reimbursements to the County for recent storm damages. Mr. Cowan reported that SJC had met the criteria for reimbursement at the "county" level but not at the state level. The State criteria are difficult to meet in that there are dollar amounts that must be met to be considered. The County would have had to sustain 7.5 million dollars in damages to qualify; however, SJC sustained only one million dollars in damage. He suggested that the Council contact the legislature to see if this can be remedied for future or current requests. He noted that he had also checked with other surrounding counties in this region to see if there would be the possibility of another source of reimbursement at that level. Other counties reported that the November, 2006 storm, for which relief was being requested, did not hit them as hard as it did in SJC. The Council discussed whether or not to include this with the other legislative matters they would be addressing at the end of the month during the WA State Association of Counties Legislative Rally. Additionally they discussed possible alternatives to propose such as separate disaster funding for counties. After a lengthy discussion, it was agreed that Mr. Cowan would draft a letter for the Council to review to be sent to Senator Spanel, and Representatives Morris and Quall. The letter could be placed on the Consent Agenda for the following week.

**4. Discussion on Council Liaison Assignment Policy** – Present: Randall Gaylord, Prosecuting Attorney. Mr. Rose was asked by the Chair to present the recommendations from his Staff Report dated January 16, 2007. Mr. Rose stated that his recommendation was for the Council to discuss the multitude of information provided first. He noted that he and the Prosecuting Attorney had identified at least 18 existing documents that needed to be redrafted in accordance with the Charter. He suggested a structured approach and noted that this was a "once in a lifetime situation," that could also be modified over time. The Council reviewed and discussed the list of various boards, committees, commissions, agencies, and other departments listed in the report. With suggestions being made for changes to the past policy for discussion purposes, it was agreed additional discussion would need to be scheduled. Regarding the Islands Trust Council in BC, the Council agreed with the suggestion of Chair Myhr to request that Mr. Lichter be the point of contact with these colleagues. This portion of the discussion was ended during the morning session and was resumed later in the afternoon. The Council continued to discuss various existing liaison assignments in an effort to determine what may continue or not. After another lengthy discussion on what the Charter calls for under the Legislative and Administrative branches, it was agreed that discussions on the matter would be continued the following week. No assignment decisions were made during this continued discussion either.

**5. Council Priorities** – Mr. Myhr began with an apology for the time constraints that had cut into the scheduled time set aside for the Administrator's briefing to the Council. He suggested that the Council appoint a subcommittee to work with the Prosecutor and Mr. Rose on the list that had been started the prior week to include the report furnished by Mr. Rose. He also referred to sections of the Administrator's "Friday Message" that had been sent to the Council, from which he had extracted portions into a new document for ease of review. He also suggested that rather than referring to "Charter Implementation" the Council consider "Charter Completion," as a great deal of work has already been undertaken and completed the prior year. After a discussion on what this would entail, **it was agreed by consensus that the sub-committee would consist of Councilmen Knapp, Peterson, and Myhr.** This would not be considered an adhoc committee. He asked that the new sub-committee take items 1 through 8 on this new list. **It was further agreed that only the full Council would discuss any actual liaison assignments.**

**6. Ferry Strategies Update** – Mr. Ranker began by stating that he had left early the prior week and asked for a recap of the discussion the Council had on this issue. Mr. Myhr explained that the Tariff Policy Committee (TPC)

had recommended a 2.5 percent increase in fares. Mr. Lichter added that this fact changed the urgency previously discussed. Mr. Ranker stated his opinion on this information and added that he wanted to be certain that the Governor supports this recommendation; and, to be involved in a “more open dialogue” on how to address on-going issues. He reported that he is on the Transportation Subcommittee of the WA State Association of Counties, and that they will meet this Thursday morning. He wanted a consensus of the Council to bring to the meeting and not his personal opinion. Mr. Rose suggested that once the TCP had made their recommendation, the Council had the ability to change strategies and talk on points of looking at separate travel sheds, the SJC island community and the economic factors that work into this. The Council discussed the issues surrounding this topic. After a lengthy discussion, Mr. Ranker asked if Mr. Rose could summarize these items for him by Wednesday morning as “talking points,” to which Mr. Rose replied he could. He asked for a letter for next week to recap these issues and stated that wanted the deadlines in Olympia adequately prepared for in the future.

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

**11:00 a.m.** – The County Administrator Council Briefing was cancelled due to time constraints. Refer to MISCELLANEOUS ITEMS, Nos. 4 and 5 for discussions of similar topics.

**11:30 a.m.** - A meeting was held to hear a presentation of the activities of the Northwest Agriculture Business Center (NWABC) by David Bauermeister. Also present: Tom Shultz, SJC WSU Extension Agent; Town of Friday Harbor Councilwoman, Liz Illg; SJC NWABC Board Members Bruce Gregory, Ron Zee, Bruce Davis, and Tom Schultz; and interested citizens. Mr. Bauermeister presented the Council with a binder containing the details of the NWABC, the mission and goals, and accomplishments of the agency. He explained that there is a five-county region, and 16 board members are appointed by the five counties within the region. He introduced the members present. The NWABC contracts with the WA State Department of Community Trade and Economic Development (CTED) for state funding. They have also received federal funding from the USDA. They are working on the expansion of the use of the livestock mobile processing unit among other projects. Mr. Ranker asked about federal support for agriculture research, as he did not feel it would be a priority with the legislature; but he stated he felt it was critical and asked if there was a potential partnership with the SJC Agriculture Resources Committee (ARC). Mr. Bauermeister stated he will attend the next ARC meeting on Lopez Island on January 23. Mr. Ranker stated he will speak with the ARC and Mr. Bauermeister separately on this issue. After the Council asked specific questions concerning the programs and needs of the NWABC, Mr. Ranker asked if he could come back with a draft letter next week for Council consideration in support of funding for the NWABC to the legislators. There was no objection.

**1:30 p.m.** - A public hearing was held to consider an Open-Open Space application for East/West Sound LLC for Ron McDowell and Kathleen Dickenson, File No. 06OS001, Orcas Island. Present: Julie Thompson, Community Development and Planning Department (CDPD) representative; Jeff Otis, Applicant’s agent; Pete Rose, County Administrator; and interested parties. Mr. Ranker asked to state that he was a close friend of the applicants and would recuse himself from the hearing if requested. There was no objection to his hearing the application. Ms. Thompson presented the Staff Report dated January 3, 2007 and the recommendation of CDPD and the Planning Commission to approve the application. She then answered the questions of the Council. Public testimony was opened, none submitted, and closed. There were no additional questions from the Council. Deliberations were held and the following action was taken:

**Moved by Knapp, seconded by Lichter, to approve the Open-Open Space application for East/West Sound LLC for Ron McDowell and Kathleen Dickenson, File No. 06OS001, Orcas Island, based upon the recommendation of the CDPD staff and Planning Commission. Motion carried.**

**2:00 p.m.** - A meeting was held to hear a presentation by the Public Works Director of an overview of the Department. Also present: Bud Sears, Buildings and Grounds Manager; Mike Copas, ER&R Manager; Russ Harvey, Operations Manager; other available staff; and interested citizens. Mr. Shannon gave a Power Point presentation entitled, “Public Works 101 (What We Do and Why We Do It).” This educational/informational production covered all divisions of Public Works (Roads, Equipment Rental and Revolving Fund, Utilities, Solid Waste, and Administration), their functions, statutory regulations governing how work and projects are done, and how facilities and equipment are maintained. The Council thanked Mr. Shannon for the overview adding that it was helpful for new Council members to have a better understanding of this department and its duties and functions. Mr. Rose added that next week Mr. Shannon will be presenting “Chip Seal 101” for the Council.

Additionally, he said that each County department would like the opportunity to make similar presentations to the Council in the future.

**ADJOURNMENT** - At 3:50 p.m., Chair Myhr adjourned the meeting. A special meeting was scheduled for Monday, January 22, 2007, and the next regular meeting was scheduled for Tuesday, January 23, 2007.

\*\*\*\*\*

**These minutes were approved and signed on January 16, 2007. The original document is retained in the Council's permanent proceedings file dated January 16, 2007. Attest: Carolyn K. Morrison, Clerk.**