

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

**Monday, April 17, 2006 - Council Conference Room**

**CALL TO ORDER**

Council Chair Lichter called the special meeting to order at 10:00 a.m. Council Members Ranker and Myhr; County Administrator Pro-Tem David Goldsmith; Randall Gaylord, Prosecuting Attorney; and Interim Clerk of the Council Carolyn Morrison were present.

**PUBLIC MEETINGS/WORK SESSIONS**

**10:00 a.m.** – The Council met for a weekly Staff Meeting and Council Work Session regarding various County business. No action was taken

**RECESS** - At 11:23 a.m., Council Chair recessed the meeting until 10:00 a.m., Tuesday, April 18, 2006.

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

**CALL TO ORDER**

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

**CITIZEN ACCESS TIME**

Pam Nichols, Susan Robins, Nina Mohi, Chance Earle, Nancy Lind, Laurie Stokes, Janice Peterson, Sam Connery, Richard Fralick, Carla White, Stephen Robins, and Tom Munsey – Regarding the process and selection of the candidate for Position 8, Personnel Management, on the SJC Citizens' Commission on Salaries for Elected Officials.

Although it is the policy of the Council not to make comments during Citizen Access Time, the members of the audience requested that the Council address questions and comments made at some point today. Because the Council had no additional available time on the agenda, it was agreed that brief comments would be made by each Council Member before beginning Administrative Matters. The following is a condensed summary of these responses to questions posed by the above citizens:

**Council Member Ranker** – Stated he had no personal experience with candidate Pam Nichols, that she was a very qualified candidate, that the appointment made had nothing to do with gender or marital partner, and that he made his choice of the candidate for this position based upon his qualifications.

**Council Member Myhr** – Stated he was sorry that there appeared to be dissatisfaction on the choice made by the Council, that he felt that the Council chose excellent people who had the background and skills required, and that they will do a great job for the Commission. He added that he was glad to hear citizen comments made today about a person whom he had never met before (Pam Nichols).

**Council Member Lichter** – Stated that he had never met Pam Nichols either, that she was an outstanding individual in the corporate sector, that she has done a great service for the community, that the Council is pleased to have both her husband and herself in it. He further stated that he has no gender bias, no concern about Ms. Nichols being married to a former Freeholder, no concerns about his salary (which remains the same until the end of his term), and has no bias against the former freeholders. He made his choice based upon what he thinks this County needs. He then elaborated upon his personal views related to the choice of the candidate that was selected, noting that he simply felt the Mr. Cornelius would be a better fit for what this County needed at this time in its history.

The Council then addressed questions concerning the process and informed the audience that they were individually given the names and backgrounds of the applicants that had applied for these positions in advance of the presentation to the public by Mr. Goldsmith.

## **ANNOUNCEMENTS/SCHEDULE CHANGES**

1. The posted Council Agenda and Discussion/Other Action Agenda were revised.
2. All three Council Members will attend the Washington State Association of Counties Western Region Conference in Bellingham, WA on April 20 and 21, 2006.

## **APPROVAL OF MINUTES**

Moved by Ranker, seconded by Myhr, to approve the minutes of **April 3 and 4, 2006**. Motion carried.

## **CONSENT AGENDA**

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

### **A. Resolutions:**

1. **Resolution 21-2006** – A resolution amending Resolution 11-2006, Section 3.0, Scheduling, a resolution which adopted the Public Participation Plan for the Deer Harbor Hamlet Plan dated February 1, 2006.

### **B. Appointments:**

1. Approve the appointment of Kerwin M. Johnson to the SJC Board of Equalization as an At Large representative for a three-year term that will expire April 31, 2009.
2. Approve the appointment of Danielle Pinnow-Cochran to the SJC Board of Equalization as an At Large representative for a three-year term that will expire April 31, 2009.
3. Approve the appointment of John Stewart to the SJC Agricultural Resources Committee (ARC) to fill the unexpired term of Julie Remington which will begin immediately and expire August 31, 2009, noting a concurrent recommendation from the ARC in the letter dated April 10, 2006.

### **C. Correspondence:**

1. Sign the letter to Kerwin M. Johnson confirming his appointment to the SJC Board of Equalization.
2. Sign the letter to Danielle Pinnow-Cochran confirming her appointment to the SJC Board of Equalization.
3. Sign the letter to John Stewart confirming his appointment to the SJC Agricultural Resources Committee.
4. Sign the letter to Rose M. Carlson accepting her resignation from the San Juan County Board of Equalization; and, sign the Certificate of Recognition for her service.
5. Sign the letter to Don Burt, Jr., thanking him for his interest in becoming a member of the SJC Agricultural Resources Committee and informing him that his letter of interest will be kept on file for any future vacancies.
6. Sign the letter to Christina Dahl-Sesby thanking her for her interest in becoming a member of the SJC Agricultural Resources Committee and informing her that her letter of interest will be kept on file for any future vacancies.
7. Sign the letter to Wick Dufford thanking him for his many years of service as the SJC Hearing Examiner; and, sign the Certificate of Recognition for his service.

### **D. Miscellaneous:**

1. Sign the Proclamation declaring May 2006 in SJC as Community Action Month.

### **E. Correction to the Minutes:**

On March 21, 2006, the Summary of the Minutes of the County Council, under the sub-heading CONSENT AGENDA, Bid Openings, contained a Call for Bids for 500 tons of 5/8" chip rock for San Juan Island and 500 tons of 5/8" chip rock for Lopez Island with sealed bids to be received by the Council until 3:00 p.m., April 25, 2006 and the bid opening to occur precisely at 3:00 p.m. on that date. The correct motion should read:

**“Approve a Call for Bids for five thousand (5,000) tons of 5/8” chip rock for San Juan Island and five thousand (5,000) tons of 5/8” chip rock for Lopez Island with sealed bids to be received by the Council until 3:00 p.m., April 25, 2006 and the bid opening to occur precisely at 3:00 p.m. on that date.”** (Clerk’s Note: This was correctly advertised on April 5, 12, and 19, 2006 in the legal newspaper.)

Motion carried.

## **ACTION AND DISCUSSION ITEMS**

### CONTRACTS/AGREEMENTS:

Present: Tom Schultz, WSU Extension Agent. Mr. Goldsmith and Mr. Schultz explained that the Prosecuting Attorney had requested that the old format used for this agreement be redone and added that it has existed for more than 20 years. Councilman Ranker wanted to know if this agreement was related to the prior commitment made by WSU to fund a portion of the compensation to fund a staff person for the Agricultural Resources Committee. Mr. Schultz explained it is not related; however, due to the structure of WSU and their requirements for funding certain staffing positions, a new job description would have to be submitted that met their criteria. After a lengthy discussion, Mr. Ranker asked that Mr. Goldsmith keep him apprised of the progress of this issue. The following action was then taken:

**Agreement No. 06AG01** - Moved by Ranker, seconded by Myhr, to sign the Interlocal Agreement/Memorandum of Understanding between SJC and Washington State University Cooperative Extension to formalize an Extension Program and set salaries for Extension staff as detailed in "Appendix A," in the total amount of \$52,987 with one twelfth of this cost the responsibility of SJC, for the period of January 1, 2006 through December 31, 2006, with provisions of the agreement to be revised for all fiscal years beyond 2006 until December 31, 2010, under the terms and conditions as set forth therein. Motion carried.

### MISCELLANEOUS ITEMS:

**1. Discussion Regarding the Sale of Department of Natural Resources (DNR) Property in SJC** – Present: Lincoln Bormann, Land Bank Director, and Dona Wuthnow, SJC Parks Superintendent. Ms. Wuthnow explained that the process of the transfer of these properties has been an on-going program with various agencies for over ten years. DNR had provided a printout of various transactions including the transfer to, or purchase by SJC, of 39 acres at Shark Reef, 30 acres on Shaw Island, 40 acres of Diamond Hill, 82.5 acres at Obstruction Pass, and 174.4 acres at Point Lawrence. Another list showed five other transactions to be completed by 2007. The issue of concern at this time is that of 400 acres known as Lopez Hill, and 320 acres known as Mitchell Hill. The previous discussions with the federal government have changed due to funding cuts. National Parks has a current freeze on all property acquisition funding. New strategies include potential long-term leases until funding is available or potential outright purchase. A private land speculator has offered to trade land in eastern WA for Lopez Hill. Mr. Bormann explained that from the standpoint of the Land Bank, they have several high-profile properties they are attempting to negotiate including Turtleback on Orcas Island. The County should hear from the Medina Board of Directors regarding the status of on-going negotiations for this property in the next few days. He expressed the limitations of the Land Bank's ability to expend the amount of money that would be required to purchase these two properties. It was recommended that the Council send a letter to Doug Sutherland, Commissioner of Public Lands (DNR), with a copy to the WA State Governor, to request consideration of other options rather than these two properties being taken from the public sector. Councilman Myhr related that many years ago, through the "Friends of Chadwick Hill," five million dollars was raised to make that purchase which resulted in keeping that land in public ownership. **By consensus, the Council agreed to compose a letter to DNR for consideration in the near future.**

**2. Continued Discussion Regarding a Proposal for an Advisory Ballot Measure to Ask that US Troops be Sent Home from Iraq** – Also Present: Randall Gaylord, Prosecuting Attorney. Councilman Myhr presented a new draft resolution for consideration as did Councilman Lichter. The Council discussed both versions and asked for assistance from Mr. Gaylord who explained that the deadline for a ballot initiative is two months before the election. He added that although he does not normally assist with Advisory Ballot language, he had done so for the Accessory Dwelling (guest house) advisory ballot language a number of years back. He offered to assist with this language and made other recommendations to the Council concerning citizen input. Chair Lichter asked if anyone in the audience had comments on the new drafts presented today. Comments were submitted. **By consensus, the Council agreed that they would address the matter again the following week.**

**3. Pandemic Conference Update** – Chair Lichter reported that the conference was excellent and this will be fully reported on during the Board of Health Agenda on April 25, 2006.

**4. Update on County Administrator Search Process** – Council Member Myhr explained that the Council would meet today in Executive Session with a human resources professional from Waldron & Company to begin the evaluation of the candidates for this position. He added that, in spite of comments made earlier today, the Council is trying to move forward with a transparent process with the next concern of finding a permanent administrator. He noted there have been approximately 57 applicants brought forward.

## **PUBLIC MEETINGS**

### **3:30 p.m. – County Administrator Pro-Tem Council Briefing.**

Before beginning this item, Councilman Myhr asked to announce that the Council had narrowed the list of 59 down to twelve potential candidates for the position of County Administrator during the Executive Session that just concluded. The Council will hold another Executive Session on the 8<sup>th</sup> of May with Waldron & Company to further evaluate applicants' qualifications for public employment and to select the top candidates for interviews. A social event will be held on May 14<sup>th</sup> for the public to be able to meet and speak with these candidates from 3:00 p.m. to 5:00 p.m. Interviews will be set for May 15<sup>th</sup> on a rotating basis with the Council (in Executive Session) and with a panel of Elected Officials, appointed Department Heads, and Mr. Goldsmith. At the end of the interviews, the Council will meet in Executive Session to further evaluate qualifications. On Tuesday, May 16, 2006, the Council will hold another Executive Session to further review the qualifications of these candidates. If a decision is reached, the announcement will be made in open session. **The Council directed their Clerk to prepare a press release, emails inviting the Elected Officials and Department Heads to form their respective groups of three to four people each, and to organize the planned "social."**

The Administrator then began his briefing. Agenda:

**1. Upcoming Interlocal Agreement for Potential Joint Project (Administration Building) –** Mr. Ranker noted that he had met with Town of Friday Harbor Mayor David Jones. He was told that the Town staff does not have time to devote to doing any studies or evaluations to determine if this can even be a joint project at this time. The Mayor had suggested that if Mr. Goldsmith could find a way for King Fitch, Town Administrator, to work with County on a limited basis that would be acceptable. Mr. Goldsmith stated he had drafted an Interlocal Agreement for consideration which he was going to share with the Council. Mr. Ranker stated that this would be too formal at this time and suggested a less binding agreement for continued discussions with the Town.

**2. Updates:** Mr. Goldsmith reported that the Conservation District is going to fund an Agricultural Resource Committee (ARC) Coordinator as discussed previously. An agreement will be brought to the Council next week. The Fire Marshal services issues that have been on-going are slowly being resolved. The existing contract with the Town of Friday Harbor to provide these services to the County will be extended to the end of this year. He will meet with the Fire Chiefs' Association tomorrow to discuss the possibility of doing individual inspections on each island. Council Chair Lichter will greet the Salary Commission members on Wednesday, April 19, 2006 at their first meeting. Newly appointed Hearing Examiner Bill Nielsen, will be providing a list of names for consideration as Hearing Examiner Pro-Tem. Mr. Ranker brought up that he would like to see a two-year contract for this position. The Council agreed that the original motion for a one-year contract will stay in place and a two-year contract may be considered in the future. Mr. Goldsmith will report back next week regarding funding issues for the Critical Area Ordinance Updates. He added that he will be speaking with Shared Strategy for Puget Sound next week as well.

## **EXECUTIVE/CLOSED SESSIONS**

**12:00 Noon** – (This item was scheduled for 11:00 a.m. but began late due to other agenda time constraints.) Council Chair Lichter announced that the Council would be holding an **executive session** estimated to last approximately three and one half hours, to evaluate the qualifications of applicants for public employment, pursuant to the provisions of RCW 42.30.110(1)(g). At 1:30 p.m. the Council Clerk announced the Council would take a recess for 15 minutes. The session resumed at 1:45 p.m. and ended at 3:30 p.m. for a total session time of three hours and 15 minutes. No action was taken.

**ADJOURNMENT** – Chair Lichter adjourned the meeting at 4:03 p.m. Motion carried. A special meeting was scheduled for April 24, the next meeting was scheduled for April 25, and a Special Meeting was scheduled for April 26, 2006.

**These minutes were approved and signed on April 25, 2006. The permanent document is retained in the Council's permanent proceedings file dated April 17 and 18, 2006. Attest: Carolyn Morrison, Clerk.**