

**SUMMARY OF THE MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
APRIL 24, 25, AND 26, 2006**

Monday, April 24, 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 11:15 a.m., Council Chair recessed the meeting until 10:00 a.m., Tuesday, April 25, 2006.

Tuesday, April 25, 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

Charlie Bodenstab – Regarding a request for an update on the on-going process to acquire a permanent County Administrator.

ANNOUNCEMENTS/SCHEDULE CHANGES

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

APPROVAL OF MINUTES

Moved by Myhr, seconded by Ranker, to approve the minutes of **April 17 and 18, 2006**. Motion carried.

CONSENT AGENDA

Moved by Ranker, seconded by Myhr, to approve the **Final Consent Agenda of April 25, 2006** as follows:

A. Contracts/Agreements:

1. **Agreement No. 06AG02** – Sign the Interlocal Agreement between SJC and SJC Conservation District (SJCCD) to cooperate in funding a 0.5 FTE position to support the SJC Agricultural Resources Committee (ARC) with SJCCD providing salary funds up to \$16,500 and SJC maintaining all required records in regard to the staffing of said position between April 1, 2006 through April 1, 2007, under the terms and conditions as set forth therein.
2. **Agreement No. 06HC20A** – Sign Amendment No. 1 to Interagency Agreement No. 05HC52 between SJC and Northwest Educational Service District No. 189, amending the effective dates of the agreement to September 8, 2005 through February 28, 2007, with all other terms and conditions of the original agreement to remain in effect.

B. Correspondence:

1. Sign the letter to Craig Weir thanking him for his service to the SJC Affordable Housing Fund Commission; and, sign the Certificate of Recognition for his service.
2. Sign the letter to Carrie Brooks thanking her for her service to the SJC Affordable Housing Fund Commission; and, sign the Certificate of Recognition for her service.

3. Sign the letter to Larry Soll thanking him for his service to the SJC Affordable Housing Fund Commission; and, sign the Certificate of Recognition for his service.
4. Sign the letter to Terry Gillespie accepting his resignation from the Eastsound Planning Review Committee; and, sign the Certificate of Recognition for his service.

Motion carried.

ACTION AND DISCUSSION ITEMS

ORDINANCES/RESOLUTIONS:

The Council continued the on-going discussion regarding acceptable language for the proposed resolution to provide for an advisory ballot regarding withdrawal of troops from Iraq for the General Election. The following action was taken:

RES. NO. 22-2006 - Moved by Ranker, seconded by Myhr, to adopt the resolution for an advisory ballot about Iraq, to be placed before the citizens of SJC as set forth therein. Motion carried.

MISCELLANEOUS ITEMS:

1. Proposed Letter to the Department of Natural Resources Regarding the Sale of Property in SJC – Present: Lincoln Bormann, Land Bank Director, and Dona Wuthnow, SJC Parks Superintendent. Mr. Goldsmith stated that there had been a miscommunication regarding preparation of this letter and that he and Mr. Bormann had each written draft letters for Council consideration. The Council discussed again the particulars of Lopez Hill and Mitchell Hill as they had done the week before. Additionally they discussed Point Lawrence. Mr. Bormann stated that he would be working with State Parks on this and would coordinate preparation of draft information and a letter of support for the Council to consider. Because the Council had not had time to review the two draft letters, they asked that this matter come back for further consideration after they had time to consider parts of each draft. This matter will come back next week.

2. Hearing Examiner Policies – Present: Randall Gaylord, Prosecuting Attorney, who related that he had started to work on the policies begun three weeks ago, but had turned this assignment over to a new employee who had misunderstood his direction. He will have draft paperwork for the Council to review for their work session on May 2, 2006.

3. County Administrator Recruitment Process Update – Councilman Myhr repeated the planned itinerary shared the week before to answer the questions posed during citizen access time. He added that Waldron & Company, the professional recruitment firm hired by the County, is researching the background of the 12 candidates that were selected on the first cut out of 59 applicants brought forth. On May 8, 2006, the Council will attempt to narrow these candidates down to three to five finalists in an Executive Session to review their qualifications. A reception/social is planned for Sunday May 14, 2006 from 3:00 p.m. to 5:00 p.m. On May 15, the Council will hold rotating interviews with a panel of Elected Officials, appointed Department Heads, and the County Administrator Pro-Tem throughout the day. At the end of that day, information will be gathered from the panels and Administrator Pro-Tem. On Tuesday, May 16, 2006, the Council will hold one final Executive Session to again review this information. Any selection will be made in open session. Mr. Myhr stressed that the representatives of Waldron have emphasized that the interviews with the Waldron and Company, the Council, and the finalists, must be in Executive Session to protect confidentiality until it is time to make a decision. It was noted that the interviews with the two panels would be in open session; however, Mr. Goldsmith would meet one on one with each candidate. He added that several of the applicants had contacted Mr. Goldsmith already, and that the Council is proceeding to select the right person to serve the County. A Press Release will be sent out this week.

4. Mobile Slaughter House Issue – Councilman Ranker informed the Council that the mobile unit arrived at the Anacortes ferry terminal one and one-half hours early and was unable to get on the ferry. It had to wait four hours to board, which significantly impacted our citizens. He wants priority loading for this equipment to be addressed just like it was for food trucks and bicycle transport vehicles. He stated he would call WA State Ferries Executive Officer, Mike Anderson, to discuss this issue.

5. County Administrator Pro-Tem Council Briefing – Mr. Goldsmith's regular briefing to the Council was moved to the Discussion/Other Action Agenda due to time constraints. Agenda:

A. Vending Machines in County Buildings – Mr. Goldsmith explained that the RCW's address this issue. He stated he had done a Directive setting forth the rules and regulations to be followed for vending

machines located in County facilities. The County supplies power to these machines and this cost needs to be recovered.

B. Fire Marshal Services Update – Mr. Goldsmith met with all the Fire Chiefs last week and wants to have a full system to implement. If ordinances require changing, he wants to be certain amendments are done correctly. When the time comes, he also wants all parties to agree. This includes the requirements for inspection of schools, public places, sprinklers systems, etc. A sub-committee met yesterday to bring things together. He is also working with the Town of Friday Harbor to contract for Fire Marshal services until the County can address the entire system. He added that it was beneficial to have a discussion with other fire chiefs on how we integrate a program on four islands, and concluded with each island association having a slightly different view.

C. Public Works Director in Olympia – Mr. Goldsmith explained that Jon Shannon was inspecting two buildings the state is surplus. They are modular buildings that are up for sale at \$8.00 per square foot. He will provide an update report when he has more information.

PUBLIC HEARINGS/MEETINGS

11:00 a.m. - The Council sat as the Board of Health (BOH) for their regularly scheduled monthly meeting. Present: Frank James, Public Health Officer; John Manning, Health and Community Services Director; JoAnne Campbell, Personal Health Services Manager; and C. King Fitch, Town of Friday Harbor Administrator. Agenda:

1. Proposed Board of Health Ordinance – Mr. Manning presented a draft ordinance based on prior direction from the Council to create a new Board of Health. He stated that it is currently being reviewed by the Prosecuting Attorney. There will be three Council members, three at-large members, and one member from the Town. A public hearing is scheduled for May 23 if the Council is satisfied with the draft. **It was the consensus of the Council to move forward with holding the public hearing as discussed.**

2. Pandemic Influenza Planning Conference Report – Mr. Manning reported that there were participants from counties, cities, the state, and the federal government. The budget on the federal level is 682 billion dollars for pandemics. In summary, he, Dr. James, and Chair Lichter explained the messages from this conference. The H5N1 (Avian virus) is of concern to health officials, but not a panic. Local planning is necessary. As reported in past BOH meetings, the current strain of this virus is not easily transmitted to humans. Testing of dead birds will continue and it can take six months to a year before this virus may mutate to actually be detectable in humans. New techniques are being explored in vaccine development but there are none at this time. There is an anti-viral medication available for key people, but not enough to handle a pandemic. Local level planning is vital to deal with the possibility of 30 to 40 percent of the workforce being infected. Issues of closing schools, reduced workforces, lack of supplies, and strained medical care must be planned for and the populace must be educated. Overall, it is known that 1950 technology is still being used to produce vaccines. Issues such as the possible closure of the ferry system, public libraries, and other “contact” spots will have to be dealt with. A plan is being prepared. Dr. James noted that he consults with the corporate sector to create plans for the effect of pandemics on their business. He noted that they are better prepared than the federal government. There are plans to involve the business community in SJC as well as to educate the general public. Dr. James added that he also worked with ABC recently on a movie of the week which depicts the worst case scenario for a pandemic in the US. Should a pandemic hit the County, it is estimated (based on prior statistics) that there may be 116 deaths in SJC. Updates on this topic will be brought forth in the future. No action was taken.

2:00 p.m. – A public meeting was held to hear the annual report and overview of the Northwest Workforce Development Council (NWDC) presented by Minnie Knych, SJC NWDC Career Center, and Gay Dubigk, NWDC Executive Director. Ms. Knych gave a Power Point presentation to show the services and training provided through this organization. Not only does the Career Center work with local business to assist in finding and training workers, but they also work with individuals on continuing education. After the presentation and discussion with the Council, Ms. Dubigk requested that the Council appoint a Liaison to the NWDC region. She added that Skagit County Commissioner Don Munks is the Chief Local Elected Official. The Council thanked Ms. Dubigk and Ms. Knych for coming and noted that they will address the issue of a Liaison in the near future.

2:30 p.m. - A public hearing was held to consider an Ordinance modifying the existing definitions and requirements for accessory dwelling units in SJC. Present: Ron Henrickson, Community Development and Planning (CDPD) Director; Shireene Hale, CDPD Senior Planner; Randal Gaylord, Prosecuting Attorney; Cameron Carter, Deputy Prosecuting Attorney; David Goldsmith, County Administrator Pro-Tem; and interested citizens. Council Chair Lichter explained to the large audience the procedures for this hearing and that initial testimony would be limited to two minutes to allow as many citizens to offer their comments as possible. He stated that all written testimony that had been received had been distributed to each council member along with all

applicable documents related to the record of the Planning Commission, and Staff Reports. Any written testimony submitted today would be distributed to all Council members and appropriate staff. Ms. Hale then announced that the hearing today was on the April 10, 2006 version of the proposed ordinance. She reviewed the changes that are being recommended for inclusion and amendment. An overview of the history of this issues and the process used to reach this stage were recapped. After questions from the Council, public testimony was opened and submitted. A recess was called at 3:00 p.m., to conduct a bid opening. Public testimony then continued. A second recess was called at 3:15 p.m. for another bid opening and the hearing and public testimony resumed at 3:18 p.m. After the 26th person had offered his comments and no new speakers wished to make statements, Chair Lichter allowed previous speakers to add additional comments. A brief recess was called. Upon resuming, four additional new speakers offered oral comments followed by another round of additional comments from prior speakers. After asking the audience several times if any other citizens wished to speak, Chair Lichter closed public testimony. Because of time constraints and the schedule of transportation to return to other islands, the Council agreed that they would not hold deliberations today. Questions were posed to the Prosecuting Attorney staff for clarification. After brief comments by the Council, Councilman Myhr noted he had thought of another modification/proposal for consideration and briefly described his idea. Each Council Member thanked those who had attended and the following action was taken:

Moved by Ranker, seconded by Myhr, to continue the public hearing to 2:30 p.m., Tuesday, May 2, 2006, noting that public testimony could be reopened. Motion carried.

3:00 p.m. - A bid opening was held for 5,000 tons of 5/8-inch Chiprock for San Juan Island and 5,000 tons of 5/8-inch Chiprock for Lopez Island. Bid specifications were published as required by law. Two bids were submitted for San Juan Island and one bid for Lopez Island. Each bid was signed, and contained the required bond/check. The following is a summary of the bids received:

FIRM NAME	ITEM	TOTAL PRICE
1. Mike Carlson Enterprises, Inc. Friday Harbor, WA	Chiprock to San Juan Island with pick up at Friday Harbor Sand and Gravel site	\$31.98/ton = \$159,900.00
2. Island Concrete Products, Inc. Friday Harbor, WA	Chiprock to San Juan Island with pick up at Island Concrete site	\$35.98/ton = \$179,000.00
3. Lopez San & Gravel Lopez Island, WA	Chiprock for Lopez Island Storage at Mackaye Harbor, Lopez	\$26.07/ton = \$130,350.00

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

3:15 p.m. - A bid opening was held for 900 to 1,000 tons of CRS-2P asphalt emulsion for 2006. Bid specifications were published as required by law. Two bids were submitted. Each bid was signed and contained the required information. The following is a summary of the bids received:

FIRM NAME	ITEM	TOTAL PRICE
1. McAsphalt Industries LTD Langley, BC	1,000 tons CRS-2P 1,000 tons CRS-2 Stored in Langley BC	\$280.00/ton = \$280,000.00 \$260.00/ton = \$260,000.00
2. Paramount Petroleum Corp. Seattle, WA	1,000 tons CRS-2P Stored in Seattle, WA	\$295.00/ton = \$295,000.00

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

EXECUTIVE/CLOSED SESSIONS

1:33 p.m. – Council Chair Lichter announced that the Council would be holding an **executive session** estimated to last approximately 20 minutes, to discuss a matter of litigation pursuant to the provisions of RCW 42.30.110(1)(i). Participants: Randall Gaylord, Prosecuting Attorney, and Cameron Carter, Deputy Prosecuting

Attorney. At 1:53 the Clerk announced that the Council would be in session for an additional five minutes. The session ended at 1:58 p.m. for an actual session time of 25 minutes. No action was taken.

RECESS - At 5:10 p.m., Council Chair Lichter recessed the meeting until 9:30 a.m., Wednesday, April 26, 2006.

Wednesday, April 26, 2006 - Council Hearing Room

CALL TO ORDER

Council Chair Lichter called the special meeting to order at 9:45 a.m. The meeting began fifteen minutes later than scheduled due to the arrival time of the ferry from Orcas Island. Council members Ranker and Myhr; County Administrator Pro-Tem, David Goldsmith; and the Interim Clerk of the Council, Carolyn Morrison, were present.

PUBLIC MEETINGS

9:45 a.m. – A meeting was held with Architects Les Tonkin and Ann Williamson regarding the Courthouse and other facilities' space planning with a possible tour following their presentation. Also present: David Zeretzke, Administrative Services Director, who began with introductions and the background of the architects. Mr. Tonkin had been involved in the remodel of the historical Courthouse building when it had been condemned. The Council and the consultants discussed the needs of the Council and their staff, Administrator and new staff, Courts, financial offices, storage, and also addressed the current limitations. It is the goal of this planning work to present two options. The use of the proposed acquisition of the "Carlson" building across from the Courthouse is also being considered. The consultants had been provided with copies of the many other studies that had been done in the last fifteen years to facilitate moving forward in an expeditious manner. The firm plans to meet with individual offices before the study is completed to determine actual needs and the most efficient way to achieve maximum utilization of space. All this is being considered with the need to keep certain offices in close proximity with one another. The members of the Council offered their individual preferences which included staying in the Courthouse if at all possible. It was acknowledged that the Council's Hearing Room/Chambers would need to be shared with the Courts on a limited basis as has occurred in the past. Additionally, the needs of staff members were also discussed. The consultants will take a tour of the new and old Courthouse sections with individual Councilmen and the Council Clerk. The subject of cost was approached. **It was the consensus of the Council that obvious changes have to be made and that there would be significant costs involved.** To expand to a six-member council from a three-member council was going to be expensive as accommodations need to be made for office space. It is planned that the consultants will return with Options A and B for further consideration within two months. Other than suggestions, no action was taken.

ADJOURNMENT - Moved by Ranker, seconded by Myhr, to adjourn the meeting at 11:28 a.m. Motion carried. A Special Meeting was scheduled for Monday, May 1, 2006 and the next regular meeting was scheduled for Tuesday, May 2, 2006.

These minutes were approved and signed on May 2, 2006. The original document is retained in the Council's permanent proceedings file dated April 24, 25, and 26, 2006. Attest: Carolyn K. Morrison, Clerk.