

**SUMMARY OF THE MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
MAY 8 AND 9, 2006**

**Monday, May 8, 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; 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

**EXECUTIVE/CLOSED SESSIONS**

**11:10 a.m.** – Council Chair Lichter announced that the Council would be holding an **executive session** estimated to last approximately two hours, to evaluate the qualifications of candidates for public employment, pursuant to the provisions of RCW 42.30.110(1)(g). The session ended at 1:15 p.m. for an actual session time of two hours and five minutes. No action was taken.

**RECESS** - At 1:16 p.m., Council Chair recessed the meeting until 10:00 a.m., Tuesday, May 9, 2006.

**Tuesday, May 9, 2006 - Council Hearing Room**

**CALL TO ORDER**

Council Chair Lichter called the special meeting to order at 10:10 a.m. due to the late arrival of the ferry from Orcas Island. Council Member Myhr; County Administrator Pro-Tem, David Goldsmith; and Interim Clerk of the Council, Carolyn Morrison were present. Council Member Ranker was excused as he was attending a meeting in Olympia. The flag salute was conducted.

**CITIZEN ACCESS TIME**

**Susan Robins** – Regarding a request to know why a proposed ordinance from the Prosecutor was not considered as part of the Accessory Dwelling Unit continued public hearing. The Council Clerk stated that this document was not brought forth into the hearing nor was it made part of the record. Council Chair Lichter stated he would respond to Ms. Robins at a later time.

**Les Gunther** – Regarding a question about the recruitment process for a permanent County Administrator.

**ANNOUNCEMENTS/SCHEDULE CHANGES**

Councilman Ranker was excused due to a scheduled meeting in Olympia.  
The posted Council Agenda was revised.

**APPROVAL OF MINUTES**

Moved by Myhr, seconded by Lichter, to approve the minutes of **May 1, 2, and 5, 2006**. Motion carried.

**CONSENT AGENDA**

Moved by Myhr, seconded by Lichter, to approve the **Final Consent Agenda of May 9, 2006** as follows:

**A. Appointments:**

1. Approve the appointment of Carrie Brooks to the SJC Housing Bank Commission as representative of the Town of Friday Harbor for a three-year term which will begin immediately and expire February 28, 2009.

**B. Correspondence:**

1. Sign the letter to Carrie Brooks confirming her appointment to the SJC Housing Bank Commission.
2. Sign the letter to Robert L. Lund, U.S. Department of Agriculture Rural Development, in support of the Opportunity Council's application for Housing Preservation Grant of \$30,600 to repair and rehabilitate homes for low-income homeowners.

Motion carried.

**ACTION AND DISCUSSION ITEMS**

ORDINANCES/RESOLUTIONS:

**RES. NO. 23-2006** - (Refer to PUBLIC HEARINGS/MEETINGS/WORK SESSIONS, 11:30 a.m., for details of action taken.)

MISCELLANEOUS ITEMS:

**1. Department of Natural Resources (DNR) Property Updates on Mitchell Hill and Lopez Hill** – Councilman Myhr recapped the prior meetings with staff regarding these two properties and noted that the Council had sent a letter to Doug Southerland, Commissioner of Public Lands, asking for assistance in the preservation of both properties. He stated that he, Councilman Ranker; Lincoln Bormann, Land Bank Director; and possibly another citizen, may travel to Olympia to meet personally with Mr. Sutherland. On Lopez Island, a packet of 120 letters were sent to the DNR office and a citizens group called the Citizens of Lopez Hill have been formed to find a solution to maintain these properties. There is also a group on San Juan Island focusing on Mitchell Hill.

**2. Waldron & Company County Administrator Search Update** – Councilman Myhr addressed a question posed during Citizen Access Time regarding the recruitment process being used. In summary he explained that Waldron has stressed the importance of keeping the decision making “pool” relatively small for the protection of the candidates and that Waldron & Company are highly qualified as human resources experts. He explained that it is the Council that is to make this selection and that Council Members feel that Waldron is the expert in Human Resources. He noted that Monday the Council had narrowed the original 12 semi-finalists down to 6 finalists. However, he also noted that there may be less if any of them drop out. At the present time Waldron is checking references, credentials, and backgrounds. It is hoped that the new interview date will be sometime in early June as none of the candidates were able to make the first date selected by Waldron and the Council. He added that the Council cannot release the names of the candidates at this time, but that they were very impressed with the finalists. They are well educated and provided excellent background information for review. He added that, as originally stated in past meetings, the Council has a panel of Elected Officials, Department Heads, and the Administrator Pro-tem as part of the interviewing team. In addition, the Council has decided to ask citizens to hold a separate interview with a “citizen panel” that will be appointed. He stated that when a date certain has been set, the Council will again schedule a reception for the citizens to be able to meet with the candidates. He stated that he was very confident that this is an excellent process. In answer to a question from a citizen, Jack Cory, concerning how the information from the separate panels would be shared with the Council, he stated that he anticipated there would be a “spokesperson” that will bring forward the views and comments of the panels to share with the Council Members. Mr. Cory noted that when the former Board of County Commissioners (BOCC) held interviews and included members of the public they had provided a rating sheet that could be submitted to the BOCC with written comments. Mr. Myhr agreed that was an option to consider and added that all of the interviews will be facilitated by a staff member of Waldron. Ms. Susan Robins was allowed a comment which she stated was a point of clarification. She wondered why the senior executive was omitted from the process. Mr. Myhr stated he would answer that later and added that the Council was elected by citizens, is attempting to conduct the process in the most professional manner possible, with integrity, and stated he felt that the community would be pleased down the line. It was noted that the Council, Waldron representatives, and the Council Clerk, were the only parties in the Executive Sessions. He again stressed the importance of confidentiality and gave an example of how a candidate's standing in his community could be jeopardized if candid comments made to the Council reached fellow employees in their individual work environments. An Executive Session provides the ability for the most honest answers from each candidate while protecting their answers from reaching their current employer if they were not selected. Council Chair Lichter added that the Council intends to hold the interviews in Executive Session to fully address the qualifications of the candidates, but noted that Mr. Myhr had indicated he may prefer to hold them in open session with individual meetings with

each Council Member in private. Mr. Lichter added that because Mr. Ranker was absent, this issue would not be discussed today, but would be decided by next week. Updates will be provided as they are known.

## **PUBLIC HEARINGS/WORK SESSIONS**

**11:00 a.m.** – County Administrator Pro-Tem Council Briefing. Also present: Si A Stephens, Interim C/A Pro-Tem; and interested citizens.

**1. SJC Solid Waste Update** – Mr. Goldsmith announced that there will be a meeting of the Solid Waste Committee on Monday, May 15, from noon until 2:00 p.m., at Islander's Bank, and that Council was invited to attend meeting. He reiterated prior information regarding the consultant work that will be done to ascertain a solution to the current issues that must be resolved, especially the San Juan Island Transfer Station. He also explained that besides the issues brought forth by the Department of Labor and Industries, the Department of Ecology has also cited the County for run-off problems and related issues. He notified the Council that there is a new mandate statewide requiring changes to the manner in which tarps/covers are placed on the transfer trucks after refuse is loaded. It is possible that current vehicles could be retro-fitted. Mr. Myhr and Mr. Lichter will consider attending this meeting.

**2. Records Retention Grant Update** – Mr. Goldsmith noted that the application of the County was turned down for a planning grant to deal with funding a plan for records' storage and retention. However, he emphasized that this remains a high priority for all of the County. He intends to speak with the State Archivist to see if additional resources are available. If not, he will come back to the Council for a request for funding for approximately \$15,000 to pay for a study to determine how to address this on-going issue.

**3. 2007 Budget Call** – Mr. Goldsmith will be formulating a Budget Call letter to all departments to set the priorities for the 2007 Budget. He added that he has some new ideas and will be putting together information in the next few weeks. The process starts in mid-July and concludes with budget adoption in December.

**4. Salary Commission Update** – Mr. Goldsmith reported that the fact-finding should conclude with tomorrow's scheduled meeting. The Commission members are utilizing the minutes of other salary commissions in the State to determine how their criteria was developed. The administrative Elected Officials will most likely be completed first.

**Side Comments** – Mr. Lichter reported that he had attended a meeting of a new committee of nine people working on the Deer Harbor Hamlet Plan and that they were working well together and were pleased with what the County has offered for support. Mr. Myhr asked about the status of the updates to the existing "dog" ordinance. Mr. Goldsmith explained that there has been no progress as the Council had other issues of priority such as the Accessory Dwelling Unit compliance ordinance, vesting ordinance, and new ordinance for Hearing Examiner Appeals. He reminded the Council that the existing ordinance provides for a response from the Sheriff if a dangerous dog instance should arise. He added that the Prosecuting Attorney had also received other comments on the control of dogs, as it relates to sheep, and found there was more missing from the current ordinance than previously determined. Mr. Lichter stated that the Council had asked for the updated animal control ordinance a long time before any of the other issues mentioned had come up. It is still a priority for the Council.

**11:30 a.m.** - A public hearing was held to consider adjusting the SJC 2006 Budget beginning cash carry forward. Present: Si A. Stephens, SJC Auditor; David Goldsmith, County Administrator Pro-Tem; and interested citizens. Mr. Stephens explained that the actual cash is not known at the time of the budget adoption in December so State Law provides for adjusting this after all bills and revenues for the prior year are paid and posted. After explaining each of the items on the list and answering questions of 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 23-2006**, a resolution amending the SJC 2006 Budget for actual cash carryover for a net beginning cash adjustment of \$4,057,533.00. Motion carried.

**1:30 p.m.** - A work session was held regarding the recommendations from the Planning Commission on a proposed vesting ordinance. Present: Ron Henrickson, Community Development, and Planning Department (CDPD) Director; David Goldsmith, County Administrator Pro-Tem; Councilman Ranker via cellular telephone to the Hearing Room speaker phone; and interested citizens. In summary, Mr. Henrickson presented the information from his Memorandum dated May 9, 2006, and reviewed each section of the draft ordinance. He explained that this proposed ordinance would have to go through the SEPA process as well as any other required public comment requirement before holding a public hearing with the Council. The Council worked with Mr.

Henrickson on each section and made minor word changes, suggested clarification of certain definitions and dates, and recommended researching certain references to be certain they were applicable. Mr. Goldsmith assisted. Comments from the audience were allowed and submitted. After a lengthy discussion, the Council agreed to move forward with the required process and the scheduling of a public hearing. Mr. Henrickson encouraged one additional/continued work session to include all the changes suggested today to be certain that the amended draft ordinance is as discussed before publication. Mr. Myhr stated that this request was intelligent and it would be best to have one more review. **It was agreed by consensus to hold a continued work session at 11:00 a.m., Tuesday, May 16, 2006.** The Council thanked the Planning Commission and Mr. Henrickson for their work on this matter.

**ADJOURNMENT** – Chair Lichter announced the Council was adjourned at 2:55 p.m. A special meeting was scheduled for Monday, May 15, 2006, and the next regular meeting was scheduled for Tuesday, May 16, 2006.

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**These minutes were approved and signed on May 16, 2006. The original document is retained in the Council's permanent proceedings file dated May 8 and 9, 2006. Attest: Carolyn K. Morrison, Clerk.**