

**SUMMARY OF THE MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
AUGUST 21 AND 22, 2006**

Monday, August 21, 2006 - Council Conference Room

CALL TO ORDER

Council Chair Lichter called the meeting to order at 10:00 a.m. Council members Ranker and Myhr; County Administrator, Pete Rose; Deputy Prosecuting Attorneys Cameron Carter and Karen Vedder; and Clerk to the Council, Carolyn Morrison, were present.

PUBLIC MEETINGS/WORK SESSIONS

10:00 a.m. – The Council held a Staff Meeting and a general work session to discuss County business. No action was taken.

RECESS - At 11:35 a.m., Council Chair Lichter recessed the meeting until 10:00 a.m., Tuesday, August 22, 2006.

Tuesday, August 22, 2006 – Key Bank Garden Room, Friday Harbor

CALL TO ORDER

Council Chair Lichter called the meeting to order at 10:00 a.m. Council members Ranker and Myhr; County Administrator, Pete Rose; and Clerk to the Council, Carolyn Morrison, were present.

CITIZEN ACCESS TIME

Brian Logan – Regarding a density issue for his “Woodhaven” affordable housing project on Orcas Island. (Clerk’s Note: Although the Council does not normally respond during this segment, Council Chair Lichter introduced Mr. Logan to the County Administrator and explained that Mr. Rose would be able to discuss the matter with him.)

ANNOUNCEMENTS/SCHEDULE CHANGES

1. The posted Council Agenda and Discussion/Other Action Agenda were revised.
2. At 11:00 a.m., Mr. Ranker was excused from the rest of the meeting due to illness.
3. The Board of Health convened at 11:00 a.m., for the first meeting of the full seven-member Board. This item was listed on the Council’s Agenda. For the record, this was not a Council Meeting and separate minutes have been recorded strictly for that meeting.

APPROVAL OF MINUTES

Moved by Myhr, seconded by Ranker, to approve the minutes of **August 14 and 15, 2006**. Motion carried.

CONSENT AGENDA

Moved by Ranker, seconded by Myhr, to approve the **Final Consent Agenda of August 22, 2006** as follows:

A. Appointments:

1. Approve the appointment of Julie VanCamp to the SJC Lodging Tax Advisory Committee as a representative from the Lopez Center for Community and the Arts with a term to begin immediately and to expire December 31, 2007.

B. Correspondence:

1. Sign the letter to Julie VanCamp confirming her appointment to the SJC Lodging Tax Advisory Committee.

C. Miscellaneous:

1. Approve the contract drawings and specifications for the San Juan County 2-Lane Rural County Roadway Pilot Program, San Juan Island Guardrail Installation, for approximately 3,986 lineal feet of Weathering Steel Beam Guardrail as follows: Roche Harbor Road Curve Guardrail (MP 0.97-1.12); Beaverton Valley Road Guardrail (MP 1.31-1.81); and Beaverton Valley Road Guardrail MP 2-3); and, authorize the Chair to sign on behalf of the Council.

Motion carried.

ACTION AND DISCUSSION ITEMS

MISCELLANEOUS ITEMS:

1. WA State Association of Counties (WSAC) Legislative Steering Committee (LSC) Meeting Update – Councilman Ranker stated that he had been appointed by the Executive Committee members to serve on the LSC and he attended his first meeting on August 17, 2006. The charge of the LSC is to set the WA State legislative agenda. Topics which were discussed included the structure of the Growth Management Hearings Boards, best available science standards, and multi-family dwelling tax exemptions (including making it possible for the current legislation to be applicable for counties instead of just cities with populations in excess of 30,000). Councilman Myhr asked if the membership of WSAC was allowed to vote on these issues before they are recommended to the legislature. Mr. Ranker answered that he did not believe so, but he would check. He also noted that a new Coastal Counties Committee is being formed and invited Councilmen Lichter and Myhr to join him for discussions at the upcoming WSAC September conference in Spokane. Mr. Rose added that the Association of Cities has a similar legislative committee that proposes legislation that will benefit all 39 counties. However, it is up to the individual cities and counties to lobby for legislation.

2. WA State Oil Spill Advisory Council Meeting Update - Councilman Ranker stated that he had been appointed by the Governor along with other WA government executives to this committee. Senator Harriet Spanel had sponsored this legislation. The charge of this committee is oil spill preparedness. He noted that SJC is one of the best prepared jurisdictions in the country. However, there is still a great risk factor to the area. Some of the changes being proposed to the existing policy will provide for reimbursement to local jurisdictions and counties for expenses incurred when assisting in these types of spills and clean-ups. Currently, they are not eligible for reimbursement for expenses related to spills, but private entities are. More information will be provided after the committee has worked on the required funding proposal.

3. Mitchell Hill Property Update – Councilman Ranker stated he had met with Congressman Rick Larsen on the weekend concerning the status of this property located on San Juan Island. He reported that there is a possibility that legislation will be passed to have this property put into federal ownership. Mr. Myhr asked if the Lopez Hill Property on Lopez Island had also been discussed. Mr. Ranker stated that he had been told that the best option for this property would be at the state level. He will update the Council as more information is known.

4. Solid Waste Advisory Committee Meeting (SWAC) Update – Present: Matt Zybas, Utilities Manager. At the request of the Council, Mr. Zybas explained that the recent meeting was the first to occur after the series of open house meetings that have been held. Currently the issue of mandatory curbside service is not as strong as in the past. SWAC members had discussed available sites and the need for recycling, composting, co-mingling, etc., at one location. The majority have a strong desire to look at the current Town property for a more modern site. A meeting will have to be held with the Council regarding funding discussions. The Council discussed issues that had previously been brought forward including alternate siting of a facility. Mr. Zybas stated that there will be two reports prepared. One for the Town-owned site and the County-owned Sutton property, and the other for an "ideal" site. SWAC will review the material being prepared by the consultant and prepare a recommendation for the Council's consideration.

PUBLIC MEETINGS

11:00 a.m. – Notice: The Council recessed their regular meeting to join the San Juan County Board of Health. The minutes of the Board of Health have been written as a separate document. Citizens may contact John Manning, Health and Community Services Director, for copies of minutes or any documents relating to the Board of Health.

1:30 p.m. – County Administrator Council Briefing. Present: Karen Vedder and Cameron Carter, Deputy Prosecuting Attorneys; Si A. Stephens, SJC Auditor; and interested citizens.

1. Briefing on the Growth Management Hearings Board (GMHB) Accessory Dwelling Unit Ordinance Decision – Mr. Carter and Ms. Vedder reported the order of invalidity had been lifted. Mr. Carter explained that

there is a 30-day appeal period and that 8 new petitions had been filed as of today. However, the burden now shifts to the petitioners to show why the GMHB order was not valid. If there is an appeal filed in Superior Court, then there will be a longer wait until the matter is finally settled. Council Chair Lichter asked if Ordinance 21-2002 was now a “dead letter.” Mr. Carter explained that it is not until the new ordinance is resolved, but progress is being made. Ms. Vedder stated that the next hearing before the GMHB is set for November 8, 2006 to finalize the schedule and to learn if the GMHB has found the County is now in compliance.

2. “Carlson” Building Status – Mr. Rose noted there will be three committees working on long term solutions, plans and finances; the Council offices configuration of the Carlson Building to include a Council liaison; and a Prosecuting Attorney committee for the new use of the Council’s quarters in the Courthouse. It was estimated that the process will be in two phases and the architect and financing committee will take about two to three months, and that it will be around 2007 for the work on the second floor. Chair Lichter challenged Mr. Rose to see if the plans can be finalized in a month so that the move may occur sooner. It was agreed that Mr. Lichter and the Council Clerk would represent the Council as liaisons to one of the committees.

3. Updates and Budget Information – Mr. Rose announced that August 28, 2006 is a meeting on the proposed Deer Harbor Hamlet Plan. Mr. Lichter will attend. The SJC 2007 Budget schedule was handed out. Mr. Rose stated that an emergency appropriation hearing would need to be held for about \$200,000 to cover estimated shortfalls. Councilman Myhr asked if the Council was still the final decision-maker on the County annual budget and if it could add and take out items. Mr. Rose stated that it was, and that it could. He added that it was his job to put forth his best efforts to present a balanced budget to the Council by October for review. Public hearings will be scheduled for this process and the budget will be adopted as set forth in the Charter. He noted he would like a public hearing early to set revenues before property taxes and on the Budget Ordinances. He also stated that the Prosecuting Attorney would need to review his proposal.

2:30 p.m. - A meeting was held to discuss the 2007 Preliminary Budget with the County Administrator and the Auditor. Also present: Available County Department Heads, Elected Officials, and interested citizens. Mr. Stephens began by explaining that when compiling the preliminary budgets for 2007, he had kept all 2006 emergency appropriations for staffing in the budget. He stated that if the Council wanted to remove them, he requested that this be conveyed to his office. It was the consensus of the Council that not all of the 2006 emergency appropriations for staffing should automatically be included in the 2007 Budget proposal. A copy of Resolution 40-2006 was handed out showing the emergency appropriations authorized by the Council at the last hearing. The Council thanked him for the information so that they will be able to consider this when deliberating on the final budget. Mr. Stephens explained that there will have to be a public hearing to declare the intent to take the one-percent increase in property taxes. He anticipated there will be a \$759,000 deficit to deal with, based upon preliminary assumptions. He noted that it had been an estimated 1.5 million dollars until he changed the 2007 budget assumptions. He explained that the County reserves show an increase; however, this may be a false indicator as there were many unfilled positions during 2006. When these newly filled personnel positions are calculated, it will bring the figure down. He estimated that the Council will need to use some of the reserves to balance the budget for 2007. He then reviewed revenues and anticipated expenditures for those present. He listed the preliminary dates for future meetings. A budget work session with the Council was scheduled for Monday, September 11, 2006 at 2:30 p.m. The Clerk and Administrator will set dates for public hearings.

EXECUTIVE/CLOSED SESSIONS

3:30 p.m. – Council Chair Lichter announced that the Council would be holding an **executive session** estimated to last approximately 15 minutes, to discuss a matter of litigation, pursuant to the provisions of RCW 42.30.110(1)(i). Participants: Cameron Carter and Karen Vedder, Deputy Prosecuting Attorneys. At 3:45 p.m., the Council Clerk announced the Council required ten additional minutes. At 3:55 p.m., the Council Clerk announced that five more minutes would be required. The session ended at 4:00 p.m. for an actual session time of 30 minutes.

The Council came out of executive session and took the following action:

Moved by Myhr, seconded by Lichter, to request the office of the Prosecuting Attorney to file a motion to withdraw the County’s appeal before the Court of Appeals without prejudice. Motion carried.

ADJOURNMENT – Chair Lichter adjourned the meeting at 4:10 p.m. No meeting was scheduled for the week of August 28, 2006. The next regular meeting was scheduled for Tuesday, September 5, 2006.

These minutes were approved and signed on September 5, 2006. The original document is retained in the Council’s permanent proceedings dated August 21 and 22, 2006. Attest: Carolyn K. Morrison, Clerk.