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WHATCOM COUNTY COUNCIL
Regular County Council

November 7, 2007

Council Chair Carl Weimer called the meeting to order at 7:04 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

<u>Present:</u>	<u>Absent:</u>
Barbara Brenner	None
Dan McShane	
Sam Crawford	
Seth Fleetwood	
Laurie Caskey-Schreiber	
L. Ward Nelson	

FLAG SALUTE

ANNOUNCEMENTS

2. COLLECTIVE BARGAINING UPDATE ON SOON-TO-EXPIRE AGREEMENTS (AB2007-018)

Weimer announced that the Committee of the Whole discussed this item in executive session.

1. CONSIDERATION OF APPEAL OF HEARING EXAMINER'S DECISION ON SHR07-0006, FILED BY NAUMAN (AB2007-363)

Nelson moved to uphold the Hearing Examiner.

Motion carried unanimously.

SPECIAL PRESENTATIONS

1. EXECUTIVE KREMEN WILL READ A PROCLAMATION ANNOUNCING THE 30TH ANNIVERSARY OF THE DISABLED VETERAN OUTREACH PROGRAM (AB2007-017)

Pete Kremen, County Executive, read the proclamation into the record. He presented the proclamation to Veterans Employment Representative Thomas Noel, who is very generous and compassionate.

Thomas Noel, Whatcom Work Source Veterans Employment Representative, stated he thanks Executive Kremen. He works very hard to help the veterans in the community.

1 Executive Kremen helped create the Veteran's Advisory Board, and they're now able to help
2 many disabled vets and their families.

3
4 **2. UPDATE FROM THE TECHNOLOGY ALLIANCE GROUP FOR NORTHWEST**
5 **WASHINGTON, ANNA EHNMARK, EXECUTIVE DIRECTOR, AND ROBIN**
6 **HALLIDAY, PRESIDENT (AB2007-017)**
7

8 Robin Halliday, Technology Alliance Group for Northwest Washington President,
9 explained her activities and background. She read a presentation (*handout on file*).
10 Bellingham has five assets for making it a good candidate for technology-based economic
11 development: strong educational base; proximity to thriving urban technical centers in
12 Vancouver and Seattle; existing economic development organizations; source of early stage
13 capital through the Bellingham Angel Group, and; potential for clustering.

14
15 Anna Ehnmark, Technology Alliance Group for Northwest Washington Executive
16 Director, explained her activities and background. She continued to read from the
17 presentation on key 2007 deliverables.

18
19 Halliday stated she thanks the Council for its time and for investment in the
20 community. She asked for the Council's continued investment in the Technology Alliance
21 Group.

22
23 Brenner asked how many scholarships are awarded. Halliday stated they award five
24 scholarships each year. They've been providing scholarships since their first year.

25
26 Crawford asked if Whatcom County is fifth in the state in technology, in the state
27 that is home to Microsoft. Halliday stated they are fifth largest region in the state for
28 technology. They follow behind Puget Sound, Spokane, Vancouver, and the Tri-Cities.

29
30 Brenner asked if they work with the middle schools in Whatcom County. Halliday
31 stated she, Dale Kinsley, and Dale Brandland put together a pilot program two years ago.
32 The schools have said they want to engage business people, and her industry has been
33 saying they need math and science students. They want to expand the pilot program. The
34 math and science students must get engaged at the middle school level. They need to know
35 that there are great jobs out there. Most technology businesses, which are interested in
36 mentoring and partnering, are small. Most of those companies can't afford to spare their
37 employees during the business day when the schools need them to mentor and tutor. They
38 are looking at incentives for companies to spare their employees.

39
40 Brenner asked if the Technology Alliance Group works with the small cities. Halliday
41 stated it does not yet. The City partially funds the groups work. The Port is funding certain
42 special projects. The County funds the group also. They have not yet formally engaged the
43 other cities in the county, other than to meet with all the small cities' caucus. They've
44 agreed to link with the cities to provide information, but have not yet engaged beyond that
45 level.

46
47
48 **MINUTES CONSENT**

49
50 ***Caskey-Schreiber moved*** to approve the Minutes Consent items.

51
52 ***Motion carried unanimously.***

53

- 1 **1. BOARD OF HEALTH FOR OCTOBER 2, 2007**
- 2
- 3 **2. COMMITTEE OF THE WHOLE FOR OCTOBER 9, 2007**
- 4
- 5 **3. REGULAR COUNTY COUNCIL FOR OCTOBER 9, 2007**
- 6
- 7 **4. SURFACE WATER WORK SESSION FOR OCTOBER 16, 2007**
- 8
- 9

10 **OPEN SESSION**

11 The following people spoke:

12 Dennis Shaw, 1876 Academy Road, Bellingham, stated he would address the lot
13 clustering provision. That zoning is a buffer between inhabited areas and commercial
14 forestry. Lot clustering achieves what they want to do in those areas, in terms of fewer
15 roads, protecting the environment, and enhanced forestry. At the same time, they are
16 going to allow in environmentally sensitive areas things like surface mining, hydropower
17 plants, storage of explosives, private noncommercial recreational vehicles, adult family
18 homes, and other uses. No single family homes are allowed. The purpose of clustering was
19 to save the forest and have fewer roads. Now, they are restricting everything. Individual
20 rights are taken away for the public use, with no compensation. Consider that this lot
21 clustering is a good practice. It is not in general forestry. It's in areas that are closely
22 inhabited. It is a compromise. It helps to achieve the objectives they are looking for.
23

24

25 Brenner asked about individual rights not allowed if they don't have clustering.
26 Shaw stated a person who buys property that can be subdivided would not be able to
27 cluster the homes in one area to make it more economical.
28

29

30 Win Lee, 2171 Tuttle Lane, Lummi Island, stated she would speak about water
31 quality and quantity in the county. She is disappointed that today the Finance Committee
32 did not approve the flood funding levy proposal from Councilmembers Weimer and
33 Fleetwood. They know that Whatcom County's water quality and quantity are at risk. All
34 the waters are undergoing huge human and environmental pressures that are accelerating.
35 Those pressures will result in very serious problems in the near future if left unattended.
36 There are good programs and laws in place that could help reduce those risks.
37 Unfortunately, the current levy level is inadequate. The County has over 400 incomplete
38 water-related tasks. Keeping funding at the current level will simply stall the serious work
39 they need to do now on critical water issues.
40

41 Moreover, current funding levels make it impossible to enforce ordinances and
42 programs the Council already passed. Without enforcement, even the best law is a sham.
43 It's a mockery of good government to not provide funding for enforcement. Don't be
44 pennywise and pound foolish. Wisely invest to ensure quality in the future. Reject the
45 proposed, inadequate funding proposal and reconsider one that provides more appropriate
46 funding levels for water quality and quantity programs.
47

48 John Grames, 1506 E. Maplewood, Bellingham, stated science has made a
49 procrustean bed for us, and if humans don't fit, it's too bad for us. The election was very
50 civil. He thanked people who ran for office. Some of the negatives included rumors
51 surrounding the election. One way to resolve that is to allow people to define where they
52 stand on public access television. County Council positions are nonpartisan, yet the

1 Democratic Party endorsed candidates, which is partisan politics. The positions should
2 indicate their party. The main politicization was that the Sheriff endorsed Pete Kremen.
3

4 Myra Ramos, 2877 North Nugent Road, Lummi Island, stated she is disappointed
5 that the proposal from Councilmembers Weimer and Fleetwood to increase the flood funding
6 levy didn't get the votes to move forward. The Council should reconsider. Nothing is more
7 important to the quality of their lives and the lives of their children and grandchildren than
8 the water quality. This proposed increase is modest and temporary. It would allow the
9 committee to fulfill its commitments to implement the plans they've already approved and
10 meet the requirements they're already obliged to adopt. It will free up money from the
11 general fund that can go to long-range planning and law enforcement. It's a good proposal.
12 Reconsider. Have a public hearing.
13

14 Jack Petree, 2955 Sunset, Bellingham, stated he supports infill in Bellingham to the
15 maximum possible. They have to be rational about planning. Facts matter. The Old Town
16 plan needs flexibility to achieve maximum infill. He supports the plan. Add more height
17 limits and other incentives to be assured that they get that infill.
18

19 Ms. Craven erred on her presentation. She said the plan will add 400 additional
20 residential units. It does not. The plan includes part of the central business district. The
21 total should be added. Economically, under all scenarios, every developer will lose money
22 because of the cost of disposing of hazardous waste from the old municipal landfill. That's a
23 big problem to overcome that will require subsidies and other things. He submitted an
24 example of a project that is in Seattle. Based on what Bellingham has projected for Old
25 Town, they need to put five projects on Old Town and another seven on the bluff
26 overlooking Old Town for the projections to work. That project cost \$250,000,000. All 12
27 of those projects have to be done in 14 years. That's unlikely. Be rational. Don't chose a
28 predetermined outcome.
29

30 Dennis Jones, 1487 Sudden Valley, Bellingham, stated he would speak on the Lake
31 Whatcom Management Plan. Implement their visions of 1989 and 1982. Complete the
32 Lake Whatcom Management Plan by the year 2014. The objective is to have the lake
33 sustain itself. That will require recovery of basins one and two and a rescue of basin three.
34 He thanked former County staff Bruce Roll, Hal Hart, and Jeff Monsen. The project used to
35 have an estimated cost of \$30 million. Now, the cost is probably \$60 million or \$90 million.
36 Don't delay to the point where they are forced to have a power supply for secondary
37 treatment. They have failed to fund the plan. Do the job. The consensus is out there.
38 They need someone with a scientific, teaching background. There must be a district with
39 involved people and a department to run it. Hire a coordinator with that scientific
40 background, education, and ability to plan.
41

42 Tom Fischer, 613 Linden Road, Bellingham, stated the hydro power project has
43 benefits to this region, Southeast Alaska, and Petersburg residents.
44

45 *(Clerk's Note: End of tape one, side A.)*
46

47 Fischer continued to state that he's happy to have a workshop with the
48 councilmembers to go through all the issues.
49

50
51 **PUBLIC HEARINGS**
52

1 **1. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY AND STATE**
2 **PURPOSES IN WHATCOM COUNTY FOR THE YEAR 2008 (AB2007-421)**

3
4 Weimer opened the public hearing and, hearing no one, closed the public hearing.

5
6 ***Fleetwood moved*** to adopt the ordinance.

7
8 Brenner stated this does not include an increase in the levy, even though
9 assessments go up, which doesn't make people feel better, because they pay more.

10
11 ***Motion carried unanimously.***

12
13 **2. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY ROAD**
14 **PURPOSES FOR 2008 (AB2007-423)**

15
16 Weimer opened the public hearing and, hearing no one, closed the public hearing.

17
18 ***Nelson moved*** to adopt the ordinance.

19
20 ***Motion carried unanimously.***

21
22 **3. RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SUBMIT AN**
23 **APPLICATION TO THE STATE OF WASHINGTON, OFFICE OF COMMUNITY**
24 **DEVELOPMENT TO REQUEST \$1,000,000 TO BE APPLIED TO CAPITAL**
25 **ASSETS FOR THE EAST WHATCOM REGIONAL RESOURCE CENTER PROJECT**
26 **(AB2007-424)**

27
28 Dewey Desler, Deputy Administrator, gave a staff report and stated the County is
29 required to hold a public hearing on any applications it submits for community development
30 block grant funds. The administration has been seeking funds through the program for the
31 last ten years. They hope to use this application to help finance the East County Regional
32 Resource Center in Kendall. He introduced architect David King and others who have
33 worked on this project.

34
35 David King, Stewart+King Architects, Inc., submitted a power point presentation (*on*
36 *file*). He discussed the background and purpose of this project and read from the
37 presentation.

38
39 Weimer asked how many construction phases would the \$6 million pay for. King
40 stated \$6 million will probably pay for phases A through C. Spend a bit more on front end
41 costs to save energy and resources later.

42
43 Caskey-Schreiber stated she applauds this work. The Bellingham Housing Authority
44 has said that having the architect work with the builder would save costs. She hopes Mr.
45 King is amenable to that.

46
47 Brenner asked if they have received funding offers or commitments from the State.
48 She asked if they have lost out on working with the library district. Desler stated they still
49 want to work with the library. It makes sense for the library to use this facility. The library
50 would have to raise money for purchasing land and the building.

51
52 The County has collected \$2.75 million so far. It has spent some of that on this
53 work. They hope to get about \$1 million from this application. They are committing

1 themselves to about \$2 million in additional expenditures to get to the middle phases. The
2 County will probably have to borrow a couple million dollars, possibly from itself. Talk with
3 the legislature about another capital appropriation of about \$2.5 million. The administration
4 will need help from the County Council and citizens to talk to their legislative delegation.
5 The legislative delegation will be inclined to support the project if the County indicates its
6 progress and dedication to moving forward.
7

8 Caskey-Schreiber stated the legislators want to see the County spend the first
9 amount of money, signed commitments, and constructed infrastructure. Get as much done
10 as they possibly can. Next fall, when they're developing their two-year budget, the County
11 will be poised to ask for the rest of what it needs.
12

13 Weimer opened the public hearing and the following person spoke:
14

15 Paul Schissler, Schissler and Associates, stated he has had the privilege of working
16 on this project. The public is provided an opportunity for participation at the public hearing
17 and in the public process. Handouts about the community development block grant
18 program are available tonight for interested parties.
19

20 Hearing no one else, Weimer closed the public hearing.
21

22 **Caskey-Schreiber moved** to approve the resolution. She thanked Executive
23 Kremen, Mr. Desler, and all the councilmembers for this project. Hopefully, this will meet
24 the needs of the youth and community, and the County won't need to spend so much
25 money on law and justice.
26

27 **Motion carried unanimously.**
28

29 **4. OFFICIAL PUBLIC HEARING TO COMPLY WITH THE GRANT REQUIREMENTS**
30 **OF THE COMMUNITY DEVELOPMENT BLOCK GRANT, OPPORTUNITY**
31 **COUNCIL'S HOUSING REHABILITATION PROJECT AND AUTHORIZATION FOR**
32 **THE EXECUTIVE TO SIGN AND SUBMIT THE FINAL GRANT BUDGET AND**
33 **REPORT (AB2007-425)**
34

35 Dewey Desler, Deputy Administrator, gave a staff report. This hearing is required to
36 close out the application.
37

38 Weimer opened the public hearing and the following person spoke:
39

40 John Martin, Opportunity Council, stated he thanks the County Council and County
41 administration for help on this project. He described some of the projects they've been able
42 to do with this program. He hopes the County would be willing to apply for community
43 development block grant funding in the future, after the Kendall Resource Center project is
44 done.
45

46 Hearing no one else, Weimer closed the public hearing.
47

48 **Fleetwood moved** to authorize the Executive to sign and submit the final grant.
49

50 **Motion carried unanimously.**

1
2
3 **CONSENT AGENDA**
4

5 **Crawford** reported for the Finance and Administrative Services Committee and
6 **moved** to approve Consent Agenda items one through 14.
7

8 Brenner withdrew item 14.
9

10 **Motion to approve Consent Agenda items one through 13 carried**
11 **unanimously.**
12

- 13 1. **REQUEST APPROVAL FOR THE EXECUTIVE TO ENTER INTO A CONTRACT**
14 **AGREEMENT BETWEEN WHATCOM COUNTY AND THE GOVERNOR'S JUVENILE**
15 **JUSTICE ADVISORY COMMITTEE IN THE AMOUNT OF \$58,748.00 (AB2007-**
16 **433)**
17
- 18 2. **RESOLUTION ORDERING THE CANCELLATION OF WARRANTS MORE THAN**
19 **ONE YEAR OLD (AB2007-434)**
20
- 21 3. **RESOLUTION ORDERING THE CANCELLATION OF ACCOUNTS RECEIVABLE**
22 **MORE THAN A YEAR OLD FOR EQUIPMENT RENTAL AND REVOLVING**
23 **CHARGES THAT ARE UNCOLLECTIBLE IN THE AMOUNT OF \$6,006.61**
24 **(AB2007-435)**
25
- 26 4. **RESOLUTION ORDERING THE CANCELLATION OF ACCOUNTS RECEIVABLE**
27 **MORE THAN A YEAR OLD FOR PARKING VIOLATIONS THAT ARE**
28 **UNCOLLECTIBLE IN THE AMOUNT OF \$751.00 (AB2007-436)**
29
- 30 5. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID 07-108**
31 **TO LOW BIDDER AGGREGATES WEST FOR SUPPLYING CRUSHED AGGREGATE**
32 **IN THE AMOUNT OF \$1,142,676.00 (AB2007-437)**
33
- 34 6. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID 07-102**
35 **TO SOLE BIDDER FARMERS EQUIPMENT COMPANY FOR A REPLACEMENT**
36 **ROADSIDE MOWING TRACTOR IN THE AMOUNT OF \$93,360.58 (AB2007-**
37 **438)**
38
- 39 7. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID 07-108**
40 **TO LOW BIDDER, ANDGAR CORPORATION, FOR REPLACEMENT OF THE**
41 **DIELECTRIC UNIONS AND VALVES AT THE COURTHOUSE IN THE AMOUNT OF**
42 **\$69,897.39 (AB2007-439)**
43
- 44 8. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AUTHORIZE PUBLIC**
45 **WORKS TO PURCHASE TWO HYBRID SUV'S UNDER BID 07-33 FROM**
46 **VENDOR, DIEHL FORD, IN THE AMOUNT OF \$59,997.16 (AB2007-440)**
47
- 48 9. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AUTHORIZE PUBLIC**
49 **WORKS TO PURCHASE A HIGH ROOF CARGO VAN UNDER A WASHINGTON**
50 **STATE CONTRACT FROM VENDOR, DWAYNE LANE, IN THE AMOUNT OF**
51 **\$52,010.64 (AB2007-441)**
52

- 1 10. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A JOINT
2 FUNDING AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY FOR
3 THE ONGOING OPERATION AND MAINTENANCE OF THE COUNTY'S SEVEN
4 STREAM GAGES IN THE EARLY FLOOD WARNING SYSTEM (AB2007-442)
5
6 11. RESOLUTION TO APPROVE A LAND ACQUISITION OF THE "DEMING
7 TRANSFER" AND THE "RIVER ROAD PROPERTY" IN THE AMOUNT OF
8 \$315,000.00 (AB2007-443)
9
10 12. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO AN
11 INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY OF
12 BELLINGHAM FOR ANNEXATION OF 635 ACRES IN THE VICINITY OF EAST
13 BAKERVIEW ROAD AND JAMES STREET (AB2007-417A)
14
15 13. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO
16 AMENDMENT #11 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF
17 BELLINGHAM AND WHATCOM COUNTY CONCERNING ANNEXATION AND
18 DEVELOPMENT WITHIN THE CITY OF BELLINGHAM URBAN GROWTH AREA
19 (AB2007-385)
20
21 14. REQUEST APPROVAL FOR THE EXECUTIVE TO AWARD BID #07-94 TO SOLE
22 BIDDER, CLYDE WEST INC., IN THE AMOUNT OF \$249,406.05 (AB2007-416)
23

24 *Crawford moved* to approve the request.
25

26 *Brenner* stated they can get by as inexpensively, if not more so, by contracting out
27 this service to people who live in those areas rather than buying a \$250,000 piece of
28 equipment. She wanted to see more of a comparison. She received a 101-page document
29 at 4:30 p.m. today from the Public Works Department. Hold this item for two weeks until
30 she has the time to read the information and talk to people who understand this stuff better
31 than her. She supports the rest of the purchases. This one doesn't feel right. She would
32 like the time to go through this. She *moved* to hold in committee.
33

34 *Motion to hold in committee failed 2-5 with Weimer and Brenner in favor.*
35

36 Brenner stated people in the business put together a spreadsheet that shows the
37 County pays the same or less to contract out the service. They've had complaints over the
38 years that County plows can't get to many remote areas, such as the Foothills, Point
39 Roberts, and Lummi Island, in the snow. The County does a great job where it can get to.
40 People in those remote areas are willing to do the service, at a cost less than what the
41 County spends. This equipment, according to people who know the equipment, is in very
42 good condition. It's an older piece of equipment with the V-plow, which is what they need.
43 It has few hours of use on it. They don't need to replace something that is in very good
44 condition. She asked why the Council wants to spend \$250,000 possibly unnecessarily. No
45 one else is even asking any questions.
46

47 Crawford stated he understands Councilmember Brenner's concerns. He's listened
48 carefully to the administration's proposal also. He looked at the material Councilmember
49 Brenner provided. He doesn't question the material from the private party. It's probably
50 accurate. However, the flexibility of owning the equipment, and having it available when
51 needed, is a compelling reason to own this equipment. If necessary during a bad snow
52 storm, the County will also contract for additional equipment. The County has done rental
53 business with the same party that Councilmember Brenner has talked to. In addition, the

1 County Executive has the authority to go above and beyond whatever it takes in a dire
2 emergency. It's not that they aren't seeing or hearing Councilmember Brenner's position.
3 He appreciates Councilmember Brenner's research. However, he's not persuaded that the
4 County should just not own the equipment. It's a prudent purchase. The life expectancy
5 for that piece of equipment, according to the State of Washington, is 15 years. They've
6 used the equipment they have now for 20 years. It's not a matter of hours on the
7 equipment, but also of the aging of the equipment's structural components. It shows wear,
8 and needs to be replaced. He will support this purchase.

9
10 Caskey-Schreiber stated the Council held this item for two weeks. She posed her
11 questions to the Public Works Department then, and was satisfied with their answers. It's
12 more a matter of having the equipment available when needed. That is the priority that
13 overrides Councilmember Brenner's concerns. Milk trucks still have to service dairies during
14 snow storms. The County should have that equipment. It's part of the County's
15 infrastructure. Renting isn't the way to go. The Public Works Department is the expert.
16 They're out there using the equipment. If they say they need it, then they need it. They
17 aren't the kind of people who make stuff up just to get a new toy. That's insulting to all of
18 them.

19
20 Brenner stated she's not against the County owning the equipment. The County
21 already owns the equipment. It's in fine condition. She gives the Public Works Department
22 staff a lot of credit. They do a very good job maintaining equipment. The average lifespan
23 is 15 years, but that depends on the use, not just the material. This is a good piece of
24 equipment that doesn't get used much. The equipment has everything it needs. She never
25 said the County should contract out with a rental company. She only brought that
26 information in because the staff said a rental company would cost much more. The
27 numbers are the same. Have emergency contracts with private individuals only who own
28 the equipment in areas where the County can't get to.

29
30 McShane stated Councilmember Brenner asked that question during committee
31 today. The answer given was that during those types of events, the equipment isn't readily
32 available. That's why the County needs this piece of equipment.

33
34 Brenner stated the County already owns the equipment, and it does have a V-plow.
35 They don't need a new one. The one they have is in fine shape.

36
37 ***Motion to approve carried 6-1 with Brenner opposed.***

38
39
40 **OTHER ITEMS**

41
42 **1. RESOLUTION TO SELL COUNTY TAX TITLE PROPERTY BY NEGOTIATION,**
43 **REQUEST #TR2007-02 (AB2007-380A)**

44
45 **McShane** reported for the Natural Resources Committee and ***moved*** to approve the
46 resolution.

47
48 ***Motion carried unanimously.***

49
50 **2. PRESENTATION ON THE OUTCOMES OF THE BIRCH BAY WATERSHED**
51 **CHARACTERIZATION PILOT PLAN (AB2007-432)**

52
53 This item was not discussed.

1
2 **3. ORDINANCE AMENDING THE 2007 WHATCOM COUNTY BUDGET, 12TH**
3 **REQUEST, IN THE AMOUNT OF \$38,491 (AB2007-426)**
4

5 *Crawford* reported for the Finance and Administrative Services Committee and
6 ***moved*** to adopt the ordinance.
7

8 ***Motion carried 6-1 with Crawford opposed.***
9

10 **4. ORDINANCE AMENDING THE 2008 WHATCOM COUNTY BUDGET, 1ST**
11 **REQUEST, IN THE AMOUNT OF \$207,655 (AB2007-427)**
12

13 *Crawford* reported for the Finance and Administrative Services Committee and
14 ***moved*** to adopt the ordinance, for the sake of having a vote.
15

16 *Crawford* stated he has concerns about the cost of animal control. He opposes this
17 item. It's gotten too expensive. There are other things they can do. If the costs of that
18 program were a separate item, he would support the rest of the items. However, he will
19 oppose this ordinance because of the animal control costs.
20

21 ***Motion carried 5-2 with Nelson and Crawford opposed.***
22

23 **5. APPOINTMENT TO FILL A PARTIAL TERM VACANCY ON THE WHATCOM**
24 **COUNTY PLANNING COMMISSION, DISTRICT 1, DUE TO RESIGNATION -**
25 **APPLICANTS: APRIL MARKIEWICZ, SUSAN KIRSCH, JEAN O. MELIOUS,**
26 **SCOTT B. MILES, AND ALEX RAMEL (AB2007-431)**
27

28 McShane nominated Alex Ramel.
29

30 Fleetwood nominated all applicants.
31

32 Crawford voted for John David Merris.
33

34 McShane voted for Ramel.
35

36 Fleetwood voted for Jean O. Melious.
37

38 Weimer voted for Melious.
39

40 Brenner voted for Melious.
41

42 Nelson voted for Merris.
43

44 Caskey-Schreiber voted for Markiewicz.
45

46 Weimer stated no one received four votes, and the Council would vote again.
47

48 Caskey-Schreiber voted for Melious.
49

50 Nelson voted for Merris.
51

52 Brenner voted for Melious.
53

1 Weimer voted for Melious.

2
3 Fleetwood voted for Melious.

4
5 McShane voted for Ramel.

6
7 Crawford voted for Melious.

8
9 Weimer stated the new Planning Commissioner is Jean Melious, with five votes.

10
11
12 **INTRODUCTION ITEMS**

13
14 ***Nelson moved*** to accept the Introduction Items.

15
16 ***Caskey-Schreiber moved*** to introduce a substitute version of the ordinance
17 **authorizing the levy of taxes for County Conservation Futures purposes for 2008**
18 **(AB2007-422A) (on file)**. This is a substitute ordinance that includes an increase in the levy
19 rate. A hearing will be scheduled for November 20.

20
21 McShane stated this fund can be used to pay the cost of Lake Whatcom watershed
22 park reconveyance, if it goes forward. It's been a well-leveraged fund over the years. The
23 proposed increase is small, but the County often receives funding matches. Moving this
24 forward is a good idea.

25
26 Brenner asked if the administration recommends this increase.

27
28 *(Clerk's Note: End of tape one, side B.)*

29
30 McShane stated it is a modest increase. The Executive brought forward no increase.

31
32 Crawford stated the County Executive has taken pride in representing that he has not
33 proposed an increase in taxes, other than any amount resulting from the addition of new
34 construction, improvements to property, and any increase in the value of state-assessed
35 property. He's opposed to this. Mr. Kremen shouldn't support this until he's carefully
36 considered the implication that it would be his first tax increase proposal of his administration.

37
38 Nelson asked if that fund has been drawn down to zero at all.

39
40 Dewey Desler, Deputy Administrator, stated the fund has always had a positive
41 balance.

42
43 Nelson stated they've used it for many programs. If they increase the fund, they could
44 probably find more things to buy if that's the wish of the Council. He can't support that.

45
46 Caskey-Schreiber stated they have had to refuse participation in the purchase of
47 development rights (PDR) program many times because the funds are committed. For every
48 dollar the County uses, it gets matching funds from the federal government. That is a
49 lengthy, bureaucratic process. When buying land in the watershed, keep in mind their
50 agricultural commitments. There is a waiting line of people who want to participate in that
51 program. These funds could be used immediately if they were able to do transactions quickly.
52 However, the policy to use matching federal dollars has slowed the program down. That
53 doesn't mean they don't need more funding. They are turning down worthy applications from

1 that program, due to lack of funding. Agriculture is a \$257 million per year industry that the
2 County should support to keep sustainable.

3
4 Crawford stated he is mystified by the Council's recent propensity to raise taxes. They
5 went through a budget process a year ago. The administration is responding with responsible
6 and prudent proposals for a tax levy, based on the budget the Council passed. To propose an
7 increase to the flood tax, which the Finance Committee recommended against, and an
8 increase in the conservation futures fund is not wise. He is opposed to this approach.

9
10 Brenner stated it seems like this is a token action. They have not turned down any
11 worthy proposal. It's never gotten to that point. If the fund is drawn down to zero, the
12 County has other funds to draw from. That hasn't happened.

13
14 Fleetwood stated they are not considering final adoption tonight. This is just for
15 introduction. He will support the motion to add Councilmember Caskey-Schreiber's version of
16 the conservation futures levy ordinance.

17
18 Weimer stated he will also support the motion. They've heard many times about the
19 need for more money for agricultural and watershed purchases. There is not enough to do
20 both. The County's funding contribution is small, but with the federal match, it shows the
21 County's commitment to these programs.

22
23 Caskey-Schreiber stated there is a strong need to preserve wildlife corridors in Birch
24 Bay. That community has put its contribution towards this. The County will be able to start
25 addressing their community plans.

26
27 Brenner stated Birch Bay just passed a parks and trails levy increase.

28
29 Caskey-Schreiber stated the fund dictates that they must spread it out. The County
30 still needs to do acquisitions in that area because of population density.

31
32 Nelson stated the voters approved this to have open spaces for parks in the future.
33 Now, they've turned it into agricultural purchases and protecting watersheds. Eventually, the
34 public may revolt and decide they have enough agriculture and watershed protection.

35
36 There may be a legitimate argument for this if there was a specific program before the
37 Council that needs funding. However, he can't see the argument for this now.

38
39 McShane stated the voters passed this. The levy was set. He asked the last time
40 there was a modest levy increase.

41
42 Crawford stated it increases every year by the amount of new construction and State
43 valued assessments. It goes up by about \$60,000 per year.

44
45 Weimer stated the levy itself has never been raised.

46
47 ***Motion carried 4-3 with Crawford, Brenner, and Nelson opposed.***

48
49 ***Brenner moved*** to add the **resolution opposing further consideration of**
50 **Cascade Creek Project** to Introduction Items.

51
52 McShane stated the Natural Resources Committee had a presentation from the joint
53 proponent of the project. They are not yet far enough along to determine whether this

1 qualifies as green power or to understand the impacts. He suggested that the Council take
2 a look at the concerns raised by the community where this project may occur. If the
3 County is going to be part of this project, it should know the types of concerns and decide
4 how to address those concerns. Other government entities have developed power
5 resources some distance from their location. For instance, Seattle City Light is located in
6 Whatcom County. Look at the concerns being raised by the community first. See if
7 Whatcom County is still comfortable moving forward with a project and can address the
8 community concerns. They are jumping to conclusions right now. He doesn't know if the
9 45-draw down is legitimate. It may be done in a manner that could benefit the local
10 community. That is hard to say right now. He's not ready to take a position one way or
11 another. Don't give up the opportunity at this point.
12

13 Brenner stated this is just for introduction, not debate and discussion. Whatcom
14 County won't get a feel for what that community wants and needs from the project
15 proponent. The County Council has received many emails about what the community feels,
16 including one from the Mayor of that community, who represents a majority of the people.
17 Get objective, third-party information.
18

19 McShane stated this is something to put into committee and look at carefully, before
20 putting it before the County Council.
21

22 **Brenner amended her motion** and moved to put the **resolution opposing**
23 **further consideration of Cascade Creek Project** in the Public Works Committee.
24

25 Nelson stated the issue is already in the Natural Resources Committee.
26

27 McShane stated that because of the issue of Lake Whatcom and funding
28 mechanisms, the Natural Resources Committee may not have time to address this issue
29 soon. This issue would be appropriate for the Finance Committee. The County's role would
30 be financial.
31

32 Brenner stated it can be in more than one committee.
33

34 Crawford stated he's happy to take the issue into the Finance Committee, but it's
35 premature to do this now. The administration brought this forward as a worthy proposal.
36 He needs more information on what this project would do for Whatcom County in the long
37 term. He understands the physics of the project. He hasn't made the nexus with how that
38 benefits Whatcom County. There is no rush to do this right now.
39

40 Fleetwood stated he agrees that this is premature right now. The only reason to
41 introduce it tonight is if they are going to adopt it in two weeks. If they aren't ready for
42 that, don't introduce it yet. In two weeks, the Council will have a joint meeting with the
43 City regarding urban growth area (UGA) reconciliation. The Natural Resources Committee
44 will be busy that day. There won't be a lot of time in the afternoon. If the Council wants
45 this issue scheduled in a committee in two weeks, it should be scheduled in the Finance
46 Committee.
47

48 Caskey-Schreiber stated it can wait a month. They don't need to introduce a
49 resolution.
50

51 Brenner stated it can wait a month before being scheduled. Introduce it. The
52 County can always apply if it decides to participate in the future. They don't have to do this

1 project now. It's more important to have good will with this other community. The County
2 hasn't even reached out and talked to them.

3
4 Weimer stated this is a placeholder at this point. Whatcom County doesn't need to
5 do anything soon one way or another. The Council needs to do a legitimate job of looking
6 at this.

7
8 McShane stated this project would be a new thing to do. It would be an opportunity.
9 Think about the County's policies in terms of being part of a project like this. Think about
10 how they want to treat another jurisdiction. Decide what benefits can be shared with this
11 community. They can work with the residents. There are other power projects in the area.
12 This can become a very positive thing for that area. That's what the Council needs to
13 consider.

14
15 Brenner stated people would be up in arms if someone tried to do something like this
16 in Whatcom County. Washington State and Whatcom County has rules. Don't consider
17 signing on to something that they wouldn't allow locally. They don't know if the objections
18 are from a small minority.

19
20 Nelson stated this resolution doesn't answer any concerns of the residents. It
21 doesn't do a thing other than say Whatcom County will participate. The project will likely go
22 forward anyway. Whatcom County has a better ability to help those people by addressing
23 their major concerns if Whatcom County is involved.

24
25 Brenner stated the County was told it has a priority application because it's a
26 municipality. She asked why the City of Bellingham isn't involved. This started off wrong.
27 If they are going to consider this, contact the community first to make sure they aren't
28 taking advantage of the people.

29
30 ***Motion failed 3-4 with Brenner, Fleetwood, and Caskey-Schreiber in favor.***

31
32 ***Motion to accept the Introduction Items, as amended, carried unanimously.***

- 33
34 **1. ORDINANCE REMOVING, ON AN INTERIM BASIS, THE LOT CLUSTERING**
35 **PROVISION FROM WHATCOM COUNTY CODE 20.42, RURAL FORESTRY**
36 **DISTRICT (AB2007-229A)**
37
38 **2. ORDINANCE ADOPTING SUPPLEMENTAL BUDGET REQUEST #13 (AB2007-**
39 **444)**
40
41 **3. ORDINANCE APPROVING THE INSTALLATION OF STOP SIGNS ON**
42 **NORTHWOOD ROAD AND HALVERSTICK ROAD (AB2007-445)**
43
44 **4. ORDINANCE TO REVISE WCC 12.14, REFERRING PERMITS FOR USE OF**
45 **UNOPENED RIGHTS-OF-WAY (TRAIL PERMITS) FEES TO THE WHATCOM**
46 **COUNTY UNIFIED FEE SCHEDULE (AB2007-446)**
47
48 **5. ORDINANCE AMENDING WCC, TITLE 20, AUTHORIZING THE COLLECTION OF**
49 **IMPACT FEES FOR SCHOOL FACILITIES (AB2007-354A)**
50
51
52

1 **OTHER BUSINESS**

2
3 There was no other business.

4
5
6 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**

7
8 There were no reports or other items.

9
10
11 **ADJOURN**

12
13 The meeting adjourned at 9:05 p.m.

14
15
16 
17 Jill Nixon, Minutes Transcription

18
19 The Council approved these minutes on January 15, 2008.

20
21 ATTEST:

22 WHATCOM COUNTY COUNCIL
23 WHATCOM COUNTY, WASHINGTON

24
25
26 
27 Dana Brown-Davis, Council Clerk


Carl Weimer, Council Chair