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WHATCOM COUNTY COUNCIL
Finance and Administrative Services Committee

September 11, 2007

Committee Chair Sam Crawford called the meeting to order at 11:00 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

L. Ward Nelson
Dan McShane

Absent:

None

Also Present:

Carl Weimer
Barbara Brenner
Laurie Caskey-Schreiber

COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL

1. ORDINANCE AMENDING WHATCOM COUNTY CODE 2.02, COUNTY COUNCIL (AB2007-338)

Nelson moved to recommend adoption to the full Council.

Motion carried unanimously.

2. REQUEST ACCEPTANCE OF PETITION AND PETITIONER'S SECURITY RELATING TO THE FORMATION OF AN IRRIGATION DISTRICT (TO BE KNOWN AS THE NORTH LYNDEN WATERSHED IMPROVEMENT DISTRICT) (AB2007-322A)

Crawford moved to recommend approval to the full Council.

Henry Bierlink, Whatcom Farm Friends, stated this moves watershed planning to the sub-basins. He described the location. They put up the \$15,000 bond. The Council will conduct the election.

Nelson stated this district benefits agriculture. He asked how this district would work with other concerns such as how agriculture impacts natural resources. Bierlink stated this is an irrigation district, so the focus is on the water resource. It will have a nexus with land use issues.

Nelson asked why this instead of a flood subzone. Bierlink stated this is a special purpose district elected and run by those in the district.

Caskey-Schreiber stated she approves of this concept. This will help with instream flow levels. Bierlink stated it also fits into the bigger picture of watershed planning.

Nelson stated he's not sure there is a connection between irrigation rights and instream flows. Bierlink stated Bertrand is a pilot for the instream flow planning. They've been in confidential negotiations with the tribes and State Department of Ecology (DOE).

1 They hope to finish soon. That will set an acceptable new flow in Bertrand Creek. This is
2 the local entity that does that negotiation and commits to implementing the solution.
3

4 Caskey-Schreiber stated this formalizes what Dorrie Belisle has done with the Ten
5 Mile watershed. It's more effective to get those area residents involved. She hopes to
6 apply this approach elsewhere in the county. Bierlink stated they've wanted to form this
7 district, but it's daunting.
8

9 ***Motion carried unanimously.***

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12 **COUNCIL "CONSENT AGENDA" ITEM**

13
14 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
15 **CONTRACT BETWEEN WHATCOM COUNTY AND RH2 ENGINEERING, INC. TO**
16 **CONDUCT A FEASIBILITY STUDY ON RELOCATING THE GOOSEBERRY POINT**
17 **TERMINAL DOCK OF THE LUMMI ISLAND FERRY SYSTEM IN THE AMOUNT OF**
18 **\$300,000.00 (AB2007-345)**
19

20 Frank Abart, Public Works Director, stated this is the first of several phases. About
21 \$230,000 is being funded from a grant. Another \$70,000 is funded from the road fund.
22

23 ***Crawford moved*** to recommend approval to the full Council.
24

25 Brenner stated she doesn't agree with this issue. The amount is not a lump sum, but
26 a negotiated hourly wage. That makes her nervous. Also, it sounds like they are working
27 with the Lummi Nation to find another location. She's concerned about not stopping once
28 the County starts spending this kind of money. She's concerned it will become a bottomless
29 pit. This could become a huge intermodal project, not just a dock.
30

31 Nelson stated one concern is whether or not they need to relocate at all. He asked if
32 there is a concern that the dock has to move. Abart stated this is a joint effort between the
33 County and Lummi Tribe.
34

35 Joe Rutan, Public Works Department, stated the grant application for this federal
36 money is something the Tribe proposed with the County. Look at alternative sites and
37 alternative operations of the site.
38

39 Nelson stated a second concern is the proposed hourly rate. Rutan stated it is a
40 standard consulting contract for engineering. It is an hourly rate with a maximum paid
41 amount. The grant is to the County.
42

43 Brenner stated the Tribe has been saying that it wants the County to move. She
44 thought the County wasn't considering moving. This is the kind of thing that will just keep
45 going. This is the first she's heard of this consideration. Everyone has always told her that
46 the County is going to stay where it is.
47

48 Nelson asked if Councilmember Brenner would rather just let the lease run out if the
49 Tribe is considering making the County move and the lease will expires in 2010.
50

51 Brenner stated she understands that part of the properties do belong to Whatcom
52 County. Also, the County is already there. It would be like the Tribe closing a road to the

1 County. She doesn't know that the Tribe can unilaterally just because it doesn't want the
2 County to be there.

3
4 Crawford stated the Tribe has discussed a rearrangement of that area. This site is
5 one of the focal points of the entire reservation. In the last few years, the Council had an
6 explanation from Dan Gibson of all rights-of-way and underlying ownerships. The Tribe
7 wants to expand and consolidate their fishing operations at the location. Simultaneously,
8 they talked to Whatcom Transportation Authority (WTA) about creating a transportation hub
9 at another location. The County has had tremendous parking issues at the current location.
10 The Council budgeted \$120,000 for this, and the amount is now \$70,000. It's a win-win
11 situation for everyone, including County residents who live on the island. Significant dock
12 upgrades are necessary anyway. He asked if this process is exclusive of those dock
13 upgrades, or if the two issues can be incorporated. Someone said the timelines for this and
14 moving the dock would not coordinate. He's concerned about making a significant
15 investment in this location, and then having to build a new location. Abart stated this is just
16 a feasibility study on the alternatives. At the very soonest, a new dock would be done at
17 least ten years from now. This study has been in the six-year plan for the past couple of
18 years.

19
20 Crawford asked if this is in line with the new ferry process. Abart stated it is not.

21
22 Crawford stated he supports this item. In the long-term, he'd love to see a win-win
23 solution for everyone. These issues aren't going away. It's money well-spent.

24
25 Brenner stated her fear is that no one will be able to afford to live on Lummi Island if
26 costs keep escalating. They need to be aware of the final and ongoing costs. She asked if
27 phase one would provide that information. Abart stated phase one will just outline the
28 alternatives.

29
30 Rutan stated this phase will rank the alternatives according to relative costs. There
31 will be no detailed construction costs. Until there is a detailed design with environmental
32 assessments, it's hard to estimate a cost.

33
34 Brenner asked if the Council can make amendments to this. Phase one includes very
35 general cost estimates. Abart stated getting those kinds of cost estimates will significantly
36 increase the cost of the contract. The staff will eventually have to evaluate the
37 environmental and permitting costs associated with each alternative. That takes a lot of
38 work. Phase one will include general, broad costs.

39
40 Rutan stated phase one includes planning level cost estimates and planning level
41 schedules.

42
43 Brenner stated she wants more detailed costs.

44
45 Weimer stated he supports this request. The contract is very loose and broad,
46 however. He asked the estimate of all six phases. Rutan stated that if the chosen
47 alternative is to remain at the existing location, the cost could be little to none. The future
48 costs depend on future decisions.

49
50 A key aspect of the traffic feasibility study, which isn't complete, is the location of
51 the proposed ferry. One of the deliverables of this phase one is the completion of the traffic
52 study.

1 Brenner asked if there is negotiation room with the Tribe. Rutan stated there are
2 ongoing discussions. The Tribe is interested in working with the County to develop an
3 appropriate location that works for both the County and the Tribe.
4

5 ***Motion carried unanimously.***

6
7 *(Clerk's Note: Crawford left the meeting, and McShane assumed the Chair.)*
8

- 9 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
10 **RENEWAL INSURANCE POLICY FOR THE WHATCOM CHIEF FOR THE PERIOD**
11 **OF 9/30/07 TO 9/30/08 IN THE AMOUNT OF \$32,870.00 (AB2007-342)**
12

13 ***Nelson moved*** to recommend approval to the full Council.

14 ***Motion carried 2-0 with Crawford absent.***

- 15
16
17 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
18 **AGREEMENT WITH THE WASHINGTON TRAFFIC SAFETY COMMISSION TO**
19 **CONTINUE FUNDING FOR THE WHATCOM COUNTY TRAFFIC SAFETY**
20 **COORDINATOR IN THE AMOUNT OF \$65,750.00 (AB2007-343)**
21

22 ***Nelson moved*** to recommend approval to the full Council.

23 ***Motion carried 2-0 with Crawford absent.***

- 24
25
26 **3. RESOLUTION ESTABLISHING COUNTY ROAD PROJECT #907012, HAXTON**
27 **WAY NON-MOTORIZED IMPROVEMENTS; KWINA ROAD TO GOOSEBERRY**
28 **POINT, AND AWARD OF CONTRACT TO LOW BIDDER DO CONSTRUCTION,**
29 **INC., IN THE AMOUNT OF \$55,297.84 (AB2007-344)**
30

31 ***Nelson moved*** to recommend approval to the full Council.

32 ***Motion carried 2-0 with Crawford absent.***

- 33
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35 **5. RESOLUTION AUTHORIZING THE EXECUTIVE TO SUBMIT A GRANT**
36 **APPLICATION TO THE INTERAGENCY COMMITTEE FOR OUTDOOR**
37 **RECREATION TO HELP FUND A FARR PROJECT, PLANTATION INDOOR RANGE**
38 **HVAC RENOVATION AND ROAD RESURFACING (AB2007-346)**
39

40 Caskey-Schreiber asked the likelihood of getting this grant. It's an outdoor
41 recreation grant for an indoor project.
42

43 Mike McFarland, Parks Department Director, stated the money is allocated
44 specifically for range improvements. This is not the pool from which they normally use park
45 funds. Most of the funding for this particular source comes from concealed weapon permits,
46 which then go back into shooting ranges for the public. It's very likely the County will
47 receive this funding.
48

49 ***Nelson moved*** to recommend approval to the full Council.

50 ***Motion carried 2-0 with Crawford absent.***
51
52

1 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
2 **CONTRACT BETWEEN WHATCOM COUNTY AND THE WASHINGTON STATE**
3 **DOE FOR SUPERVISION OF WASHINGTON CONSERVATION CORP WORK**
4 **CREW IN THE AMOUNT OF \$70,000.00 (AB2007-347)**
5

6 *Nelson moved* to recommend approval to the full Council.
7

8 Caskey-Schreiber asked if this funding will help the Nooksack Salmon Enhancement
9 Association (NSEA) maintain its Conservation Corps crews.
10

11 John Thompson, Public Works Department, stated it will. NSEA operates two crews,
12 one is Conservation Corps and the other is the displaced fisher and timber worker crew.
13 This will maintain the Conservation Corps crew. The other crew is pretty much gone. This
14 funding source is separate from the fisher and timber worker crew.
15

16 Frank Abart, Public Works Director, stated this is for 2008 only, not three years as
17 requested.
18

19 *Motion carried 2-0 with Crawford absent.*
20

21 **7. RESOLUTION TO ELECT EXPENDITURES OF NATIONAL FOREST RELATED**
22 **SAFETY NET PAYMENTS UNDER PL 106-393 (AB2007-348)**
23

24 *Nelson moved* to recommend approval to the full Council.
25

26 *Motion carried 2-0 with Crawford absent.*
27

28 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
29 **CONTRACT FOR PROFESSIONAL SERVICES FOR FAMILY SUBSTANCE ABUSE**
30 **PREVENTIONS SERVICES WITH CATHOLIC COMMUNITY SERVICES**
31 **RECOVERY CENTER IN THE AMOUNT OF \$40,000.00 (AB2007-349)**
32

33 *Nelson moved* to recommend approval to the full Council. He hopes they will work
34 on issues with young people and their families. He would like this program to be a model
35 for co-occurring issues of substance abuse and mental health. He will keep an eye on this
36 project. They need to do a lot of work with youth behavioral patterns.
37

38 Caskey-Schreiber stated this is geared toward treating the family as a whole. She's
39 impressed with that aspect.
40

41 Nelson stated mental health must be integrated.
42

43 *Motion carried 2-0 with Crawford absent.*
44

45 **9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER IN TO A**
46 **PURCHASE AND SALE AGREEMENT AND CONSERVATION EASEMENT WITH**
47 **THE WHATCOM LAND TRUST FOR THE ACQUISITION OF 73 ACRES OF**
48 **PROPERTY IN MAPLE FALLS FOR PARK AND TRAIL PURPOSES IN THE**
49 **AMOUNT OF \$510,000.00 (AB2007-350)**
50

51 *Nelson moved* to recommend approval to the full Council.
52

1 Caskey-Schreiber asked how this property was valued. There is a value put on the
2 underlying land and a value to the marketable timber. The cost is for the full value of both,
3 but it's committing to a provision to never cut the trees. It's not necessarily a fair process.
4 The bulk of the value of the land is the timber, but the County is approving a provision that
5 it will never harvest the trees. She asked if the price is fair.
6

7 Mike McFarland, Parks Department Director, stated the County can remove trees for
8 trail or park development purposes. It won't harvest for forestry reasons.
9

10 Caskey-Schreiber asked if the lack of harvesting is a bargaining chip to negotiate
11 down the price. However, the property owner could harvest the trees and get that value.
12 McFarland stated that's the dilemma. The value is there, whether or not the County wants
13 to harvest the trees.
14

15 Caskey-Schreiber asked if the County must purchase this because the owner
16 wouldn't grant a trail easement. McFarland stated it must. The County will acquire a
17 crossing on Maple Creek. Additionally, there is a road on the property that leads right into
18 the County's main corridor heading up there. This becomes a major trailhead and has
19 additional park potential for camping and things like that. It's an area already popular with
20 the public for fishing. It is a very important piece of property. The owner wanted to sell the
21 whole property, not just grant an easement. The County decided it was a good idea
22 because it's a site with a number of recreational benefits and develop as a part of a park.
23 The location is right in Maple Falls, at the location of a major trailhead and rest area.
24

25 ***Motion carried 2-0 with Crawford absent.***

- 26
27 **10. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
28 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND THE**
29 **WASHINGTON STATE DEPARTMENT OF SOCIAL AND HEALTH SERVICES FOR**
30 **JUVENILE REHABILITATION SERVICES IN THE AMOUNT OF \$22,822.00**
31 **(AB2007-351)**
32

33 ***Nelson moved*** to recommend approval to the full Council.
34

35 ***Motion carried 2-0 with Crawford absent.***

- 36
37 **11. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
38 **AGREEMENT BETWEEN WHATCOM COUNTY AND THE DEPARTMENT OF**
39 **JUSTICE, BUREAU OF JUSTICE ASSISTANCE, FOR GRANT FUNDING FOR THE**
40 **DRUG COURT COORDINATOR POSITION IN THE AMOUNT OF \$23,017.00**
41 **(AB2007-352)**
42

43 ***Nelson moved*** to recommend approval to the full Council.
44

45 ***Motion carried 2-0 with Crawford absent.***

- 46
47 **12. REQUEST APPROVAL TO PROCEED WITH DEMOLITION OF J. ZUEGELDER**
48 **HOUSE AT DITTRICH PARK (AB2007-353)**
49

50 Nelson asked if the public can use this house for something.
51

52 Mike McFarland, Parks Department Director, stated it rented out this house until the
53 house began to experience a number of moisture problems.

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Nelson moved to recommend approval to the full Council.

Motion carried 2-0 with Crawford absent.

OTHER BUSINESS

There was no other business.



ADJOURN

The meeting adjourned at 11:48 a.m.



Jill Nixon, Minutes Transcription

ATTEST:

Dan Brown, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Sam Crawford, Committee Chair