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1 Veteran's Relieve Fund has developed a draft point paper and draft guidelines,
2 which he distributed (*on file*). It will ensure the fund is administered in an
3 equitable manner amongst the veteran service organizations that choose to
4 administer it. The Veterans of Foreign Wars (VFW) has been actively soliciting and
5 encouraging other veteran service organizations to get involved. The fund is a
6 stopgap measure, and is not a continuing entitlement or benefit for veterans, their
7 widows, and their orphans. Many of the repeat applications are from those
8 veterans who were not properly counseled in what the fund was and its purpose, let
9 alone how to manage on their income. After review and counseling, most reserve
10 their use of the fund until they truly are in need of it. Some veterans are choosing
11 to apply. Those applications are being processed. Some veterans are
12 unfortunately still persisting in abusing the fund. Those applications are being
13 ferreted out and denied. The current application has gone far in helping to ferret
14 out those abuses. The funds are sufficient at present, and there is a surplus for the
15 first time in years. He encouraged the Council to read the draft guidelines. He
16 encouraged the veterans and constituents to get their service organizations
17 involved.

18
19 Lesa Starkenburg-Kroontje, 115 Front Street, Lynden, spoke on
20 Comprehensive Plan proposed docket item 2003-F regarding a plan change and
21 zoning amendment for land owned by Faber Brothers. This request is a request to
22 docket a Comprehensive Plan change and zoning amendment. It is particular to
23 Faber Brothers land, not their business. They are dealing with one piece of land, a
24 legal lot, with a building that is divided by two zones. That fact is true for whoever
25 the owner is or will be. Remediating it now will remedy it for this owner and future
26 owners.

27
28 Some of the discussion this afternoon was about whether the business met
29 the crossroad commercial designation locational criteria in the Comprehensive Plan.
30 They are to look at the property. If the portion of property already zoned general
31 commercial meets that criteria, then certainly the other piece adjacent with the
32 same building located on it meets the same criteria. The larger question was
33 whether the general commercial zoning ordinance implements the Comprehensive
34 Plan. If the Council does not believe that it does, it needs to be changed on its own
35 merits. Here, they are looking to fix a particular problem on a particular piece of
36 property. By docketing this item, they can have an open discussion and get into
37 the merits of the proposal in this quasi-judicial matter. Through that process, they
38 can determine whether or not they want to fix the problem for the entire legal lot or
39 merely for the building. This building predated zoning. To make a problem caused
40 by the County not remedied by the County is a disservice to this owner, its
41 predecessor, and any successor that comes thereafter.

42
43 P. Huck, 1407 Iris Lane, Bellingham, read a letter into the record regarding
44 death of Sheriff Deputy Matt Herzog. Insist on a proper investigation. Don't allow
45 the legal system to be compromised by emotion and police pressure. He described
46 the accident. The deputies' supervisor gave them permission to engage in a high-
47 speed chase on Samish Road as long as there was no traffic in the area. The

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1 Whatcom County Sheriff's office finding review summary found that the cause was
2 speed too fast for the conditions, including lighting, inexperience of the driver, and
3 the driver's over correction. It was concluded that Deputy Triplett, who was
4 driving, did not follow guidelines in the pursuit. Pursuits are to be discontinued
5 whenever the danger of the pursuit exceeds the danger of allowing the suspect to
6 escape. Superior Court has handled this case in a disconcerting manner. Adrian
7 Sassan, the driver of the car that the deputies were chasing, was originally charged
8 with eluding police officers. The charge was amended to hit and run, as well. A
9 defendant must meet certain elements beyond a reasonable doubt to be convicted
10 of hit and run, including an element of knowing that the car was involved. If Adrian
11 Sassan was eluding the police officers, then he could not have involved his vehicle
12 at the same time. Adrian Sassan was never at the scene of the accident. The
13 prosecuting attorney has no right to go after a man if he doesn't have a corpus
14 delicti.

15
16
17 **PUBLIC HEARING**

18
19 **1. RESOLUTION AMENDING THE 2003 ANNUAL ROAD CONSTRUCTION**
20 **PROGRAM TO INCLUDE THE JACKSON ROAD BRIDGE REPLACEMENT**
21 **(AB2003-045)**

22
23 McShane opened the public hearing and the following people spoke:

24
25 Patrick Alesse, 4953 Alderson Road, Birch Bay, stated that whatever the
26 Council decides, be sure the bridge is wide enough for cars, bikes, and pedestrians.
27 More and more people will be walking and riding bikes at Birch Bay.

28
29 Hearing no one else, McShane closed the public hearing.

30
31 Joe Rutan, County Road Engineer, gave a staff report and stated there was a
32 memo dated February 8, 2003 regarding a question from the Finance Committee
33 regarding the lane widths. The existing bridge width is 28.33 feet. If it is replaced
34 in kind, they can continue with the ten-foot lanes and 4.16-foot shoulders. With
35 the addition of an additional channel beam girder, they can widen the bridge to 33
36 feet, for lane widths of 12 feet and shoulders of four feet. He recommended
37 approving the additional \$10,000 to widen the bridge to 33 feet, with the
38 understanding that if permitting issues cause them to miss this construction
39 season, they would proceed with the construction at the existing width, but not
40 preclude any widening in the future.

41
42 Roy stated she was concerned that the bicycle pedestrian lane widths would
43 stay the same as they are now, but the new bridge would be built so that it could
44 be expanded at a later date. Rutan stated that is correct. The existing shoulders
45 are a little over four feet on the bridge. The roads approaching the bridge have a
46 one-foot paved shoulder and three-foot gravel shoulder. He proposed to do the
47 additional widening, with the understanding that there may be permitting problems.

1
2 Roy stated the Council just approved a housing development at the top of
3 the road for approximately 300 new homes. That road goes to the public access for
4 the bay. With all the new population, it makes sense to widen that bridge.
5 Everyone who lives at the development will come down the hill and go to the beach
6 public access via the bridge.

7
8 ***Nelson moved*** to approve the resolution with an amended amount of
9 \$108,000 to widen the bridge.

10
11 Rutan stated the bridge has an inadequate load rating on it now. They want
12 to make sure they do something with it this summer. If it takes longer than that,
13 they will replace it, but build into the potential for future widening.

14
15 ***Motion carried unanimously.***

16
17 **2. RESOLUTION AUTHORIZING THE SALE OF WHATCOM COUNTY**
18 **SURPLUS PROPERTY PURSUANT TO WHATCOM COUNTY CODE 1.10**
19 **(AB2003-046A)**

20
21 McShane opened the public hearing and, hearing no one, closed the public
22 hearing.

23
24 ***Nelson moved*** to approve the resolution.

25
26 ***Motion carried unanimously.***

27
28 **3. ORDINANCE APPROVING THE TRANSFER AND ASSIGNMENT OF THE**
29 **FRANCHISE TO OPERATE A CABLE TELEVISION SYSTEM IN THE**
30 **COUNTY OF WHATCOM BY NORTHLAND CABLE PROPERTIES SEVEN**
31 **LIMITED PARTNERSHIP TO WAVEDIVISION I, LLC. (AB2003-078)**

32
33 McShane opened the public hearing and, hearing no one, closed the public
34 hearing.

35
36 ***Fleetwood moved*** to adopt the ordinance.

37
38 ***Motion carried unanimously.***

39
40 **4. RESOLUTION ORDERING AN ELECTION FOR THE PROPOSED POINT**
41 **ROBERTS SPECIAL RECREATION PIER SERVICE AREA (AB2002-351C)**

42
43 McShane opened the public hearing and the following people spoke:

44
45 Terri LaPorte, 101 Goodwin Road, Point Roberts, stated the Port of
46 Bellingham, the Whatcom County Parks and Recreation Department, and the Point
47 Roberts Chamber of Commerce worked together on this. The people of Point

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1 Roberts want a pier. Putting the levy on the ballot will allow the people to endorse
2 the pier and provide the vehicle to maintain the pier once it is built. They have not
3 asked for construction funds. They cannot put the permit application in until they
4 know they have a way to pay for it. The Port of Bellingham will look for further
5 construction funding. This will allow development and growth in Point Roberts.
6

7 Hearing no one else, McShane closed the public hearing.
8

9 **Crawford moved** to approve the resolution.
10

11 Brenner asked if language was added to absolve the County of liability if the
12 people of Point Roberts decide in the future to no longer maintain the pier.
13

14 Dana Brown-Davis, Clerk of the Council, stated that language was added to
15 the previous resolution setting the hearing date. This resolution only sends the
16 item to the auditor.
17

18 Brenner asked whether that language will be on the ballot for the voters to
19 know.
20

21 Dave Grant, Senior Civil Deputy Prosecutor, stated they haven't decided yet
22 what language will go on the ballot. He doesn't know by what authority they can
23 supplement the ballot title with that kind of information.
24

25 Brenner stated the Council recommended that the language be included.
26 Grant stated he didn't know how to do that legally.
27

28 Brown-Davis stated this information came straight out of the Revised Code
29 of Washington (RCW).
30

31 Grant stated he couldn't think why the responsibility for maintenance would
32 fall on the County.
33

34 Roy stated she supported this effort. It's great to see these agencies come
35 together with a plan that will hopefully help the economic health in Point Roberts.
36 The voters will decide.
37

38 Nelson asked who assumes responsibility of a special recreation service area
39 if it goes defunct. Grant stated the County may be responsible and may be able to
40 assess fees to those folks within the district. The County may be responsible for
41 managing the district, but not for paying for it. Those folks who try to dissolve the
42 district might end up being assessed anyway.
43

44 Brenner stated she supports putting this on the ballot. The general
45 taxpayers should not be liable for it in the future. She asked if the County has the
46 ability to assess the cost of the maintenance to an area of people, rather than the
47 full County. Grant stated he has not had an opportunity to research the question

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1 fully. He is more familiar with other types of districts and opining that this would
2 be similar. He doesn't think the Council could put this condition on the ballot
3 measure. The Council's prerogative is to approve or not approve this.
4

5 ***Brenner moved*** to hold in Council to the next Council meeting to clarify
6 who would be responsible if there was a default on the tax levy.
7

8 *(Clerk's Note: This item was continued, below.)*
9

10 **CONSENT AGENDA**

11
12
13 ***Crawford*** reported for the Finance and Administrative Services Committee
14 and ***moved*** to approve Consent Agenda items one through four.
15

16 ***Motion to approve Consent Agenda carried unanimously.***
17

- 18 **1. RESOLUTION CANCELING UNCOLLECTABLE PERSONAL PROPERTY**
19 **TAXES (AB2003-082)**
- 20
21 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
22 **PROFESSIONAL SERVICES CONTRACT BETWEEN THE WHATCOM**
23 **COUNTY HEALTH DEPARTMENT AND DOMESTIC VIOLENCE & SEXUAL**
24 **ASSAULT SERVICES TO SUPPORT THE COMMISSION AGAINST**
25 **DOMESTIC VIOLENCE IN THE AMOUNT OF \$37,500 (AB2003-083)**
26
- 27 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
28 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY PUBLIC**
29 **WORKS WATER RESOURCES DIVISION AND THE BUILDING**
30 **INDUSTRY ASSOCIATION OF WHATCOM COUNTY FOR CONTINUING**
31 **LAND DEVELOPMENT CAUCUS SUPPORT IN THE WRIA 1 WATERSHED**
32 **PROJECT IN THE AMOUNT OF \$10,000 (AB2003-084)**
33
- 34 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
35 **CONSULTANT AGREEMENT BETWEEN WHATCOM COUNTY PUBLIC**
36 **WORKS ENGINEERING AND KPFF CONSULTING ENGINEERS FOR**
37 **PHASE I DESIGN TO REPLACE COUNTY BRIDGE NO. 115, CRP NO.**
38 **900902 IN THE AMOUNT OF \$138,900 (AB2003-085)**
39
40

41 **OTHER ITEMS**

- 42
43 **1. REPORT AND POSSIBLE ACTION ON THE RESOLUTION INITIATING**
44 **COMPREHENSIVE PLAN AND ZONING AMENDMENTS FOR 2003**
45 **(AB2003-075)**
46

1 Roy reported for the Natural Resource Committee. The first item is docket
2 item 2003-D. The committee does not recommend docketing this item.

3
4 ***Nelson moved*** to docket item 2003-D.

5
6 Crawford stated the property to the south is a gravel operation. He asked
7 why the committee did not choose to docket this item.

8
9 Roy stated they felt that it was not consistent with the surrounding area.
10 This wasn't described as a gravel operation. It was described as a sand pit.

11
12 Crawford stated that is correct. The area in question is zoned for agriculture,
13 but is not farmed. It is treed.

14
15 Roy stated the County has plenty of rural, one unit per five acres (R5A) lots
16 available. They are reluctant to convert agricultural land.

17
18 Caskey-Schreiber stated the Agricultural Advisory Committee voted against
19 this because it is suitable for raspberries, which is in short supply. Just because it
20 has not been used for agricultural land doesn't mean that it can't be in the future.

21
22 Fleetwood stated there is a logical line along Paradise Road. On one side is
23 open agricultural farmland. The other side has houses and woods. This piece of
24 land is already surrounded by a number of homes. Someone testified that this
25 hasn't been farmed for a hundred years. He might not vote for it in the long run,
26 but is in favor of considering it.

27
28 Brenner stated she is against docketing this item. Adding this increases the
29 irregular boundary into the agricultural land. That's how they end up incrementally
30 reducing the agricultural land inventory. She recalled that this ground has prime
31 agricultural soils.

32
33 Crawford asked if this list would be all the proposed amendments that would
34 come forward this year. He also asked if there is enough staff to deal with all ten of
35 these items if they are all docketed. Goodwin stated there are no more
36 amendments coming forward this year. It is an annual process. The one item A,
37 the update of the Comprehensive Plan five-year review is a big item. The urban
38 fringe subarea plan could take the entire staff without leaving time for anything
39 else. This item probably would not take a lot of staff time. It is fairly small.

40
41 *(Clerk's Note: End of tape one, side A.)*

42
43 Nelson stated described the surrounding location. His concern is that it has
44 never been used for agriculture. It doesn't meet the criteria of having to preserve
45 productive land. There are many areas with potential agricultural soils that have
46 the overlays for protection. The only way the land can be used for its highest and
47 best use is to take all the trees off. The neighbors will have to witness a logging

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1 operation and land disturbance. It would be nice to have some forestry since all of
2 Whatcom County was forested at one time.

3
4 Roy stated she is taking seriously the Agricultural Advisory Committee's
5 recommendation. About docketing, their last meeting went until 12:30 a.m. If
6 they are serious about something that they really want to look at, then docket the
7 item. If the Council just wants to intellectually pontificate, then they could docket
8 everything. They need to be discriminating on what they do and don't docket.

9
10 Brenner agreed. If the person coming forward asked to be zoned rural
11 forestry, she might have considered it. Productive agricultural land is all around it.
12 Jutting a finger of R5A zoning into agricultural land is not productive. Don't insert
13 housing into productive agricultural land.

14
15 Caskey-Schreiber stated it is important to really docket the properties that
16 the Council feels strongly about. For the rest, they need to sort through with the
17 Planning Department and help staff prioritize its workload.

18
19 ***Motion to docket 2003-D failed 3-4 with Nelson, Crawford, and***
20 ***Fleetwood in favor.***

21
22 *(Clerk's Note: This item is continued below.)*

23
24
25 **PUBLIC HEARING**

26
27 **4. RESOLUTION ORDERING AN ELECTION FOR THE PROPOSED POINT**
28 **ROBERTS SPECIAL RECREATION PIER SERVICE AREA (AB2002-351C)**

29
30 *(Clerk's Note: Continued from above.)*

31
32 McShane stated that the item could be held for 20 days.

33
34 Crawford stated he is against the motion. Their attorney made it clear that
35 any financial liability will be on the residents of the district.

36
37 Brenner stated there is a question of knowing the answer for sure. It won't
38 change anything on the election to hold for two weeks to get a definitive answer.

39
40 ***Motion to hold in Council failed 2-5 with Roy and Brenner in favor.***

41
42 ***Motion to approve the resolution carried unanimously.***

43
44 **1. REPORT AND POSSIBLE ACTION ON THE RESOLUTION INITIATING**
45 **COMPREHENSIVE PLAN AND ZONING AMENDMENTS FOR 2003**
46 **(AB2003-075)**

1 *(Clerk's Note: Continued from above.)*
2

3 Roy continued to report for the Natural Resources Committee. The next item
4 is docket number 2003-E. The committee does not recommend docketing this
5 item.
6

7 ***Nelson moved*** to docket item 2003-E, to put it on the table, but he is
8 opposed to docketing the item. This is a good example of an extension into
9 agricultural land. Until Lynden has done its five-year urban growth plan, it should
10 remain as it is.
11

12 Brenner stated she was surprised to see the request. They don't want to
13 create any more one- or two-acre zoning unless absolutely necessary.
14

15 ***Motion to docket 2003-E failed unanimously.***
16

17 Roy reported for the Natural Resources Committee and stated the committee
18 does not recommend docketing this item.
19

20 ***Nelson moved*** to docket item 2003-G to get it on the table. He is opposed
21 to the motion. This would not be appropriate because there is no power and
22 electric access into that area. It is surrounded by commercial forestry. There is a
23 fire protection issue. At this time, they need to maintain the commercial forestry.
24

25 Brenner stated she agreed about the services not being available and that it
26 juts into commercial forestry. She supports conversion of commercial forestry into
27 rural forestry anywhere it's possible because they will have better management
28 when someone lives on the land.
29

30 Crawford stated the density of residential development on commercial
31 forestry is zero. The proposal is to rezone to rural forestry, which allows one house
32 per 20 acres. He asked if a road is servicing this site.
33

34 Nelson stated there are probably logging roads, but there are not services.
35

36 Goodwin stated staff looks at whether it is within a fire district, has road
37 access, or has utilities. It would be difficult to get a fire truck over the river.
38

39 ***Motion failed 6-0 with Fleetwood out of the room.***
40

41 Roy reported for the Natural Resources Committee and stated the committee
42 does not recommend docketing this item. This is 243 acres being converted out of
43 agricultural land into parks. There's some question of whether they can do that
44 legally. There isn't a clear plan for the park right now. It isn't that the committee
45 doesn't think that it isn't something to work through in the future, but they are
46 getting a new Parks Department director. Put this off until there is a specific plan.
47

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1 Brenner stated she is uncomfortable that the Parks Department is making
2 the request to change agriculture and forestry areas into parks. The Council has
3 made a statement about preserving those lands. She is in favor of parks if they
4 don't interfere with agricultural or forestry lands.
5

6 Crawford asked if these properties are the ones they've already secured with
7 Conservation Futures funds through partnerships.
8

9 Brenner stated the Conservation Futures funds just have to conserve land,
10 but not necessarily by making the land a park.
11

12 Crawford stated he liked having a public benefit of some sort to lands that
13 they've purchased with Conservation Futures funds. He supports the Parks
14 Department attempt to promote the recreational use of this property.
15

16 Roy stated the issue is how they accommodate the public access. They don't
17 have to change the zoning and take it out of agricultural zoning to accommodate
18 the public benefit. There is no real good plan for it. Also, it doesn't look like the
19 Parks Department has the staff to take it on right now. It's not time yet to make a
20 permanent decision.
21

22 Caskey-Schreiber stated it is premature since they are going to look for a
23 new Parks Department director. They want to incorporate the new director's vision.
24

25 Brenner stated the public benefit is in forestry land. Buying it for
26 conservation doesn't mean they can't do selective logging that brings revenue into
27 the County.
28

29 Nelson stated he's not sure about public benefit of forestry. Generally, very
30 little logging is done on lands purchased with Conservation Futures fund. The only
31 agricultural production is a field at the north end. Usually they have to pay
32 someone to mow the field. They need to docket this to get these questions
33 answered.
34

35 Brenner stated that if they docket it, they should have an inkling of the
36 public benefit. She disagrees that no cutting is done on Conservation Futures
37 forestland. It takes a substantial amount of acreage out of agricultural zoning.
38 She's not convinced that they can't use the land in the future for agriculture.
39

40 Fleetwood stated this is the brainchild of the present Parks Director, who is
41 probably very motivated to see this happen. Don't lose the momentum of making
42 this happen.
43

44 Caskey-Schreiber asked when Director DeSpain is leaving.
45

46 Pete Kremen, County Executive, stated Director DeSpain may leave either at
47 the end of March, mid-summer, or later in the year. There's no guarantee that he

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1 will have hired a replacement for Mr. DeSpain by the time he leaves. There is a
2 good management team in place now that affords him the time to make a good
3 selection for the position.

4
5 **Roy moved** to docket item 2003-J.

6
7 **Motion failed 3-4 with Crawford, Nelson, and Fleetwood in favor.**

8
9 *(Clerk's Note: Continued below.)*

10
11 **6. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING**
12 **ORDINANCE, TITLE 20, CHAPTER 20.71 – WATER RESOURCE**
13 **PROTECTION OVERLAY DISTRICT, CHAPTER 20.80 –**
14 **SUPPLEMENTARY REQUIREMENTS (STORMWATER AND CLEARING),**
15 **CHAPTER 20.85 – PLANNED UNIT DEVELOPMENTS, AND CHAPTER**
16 **20.97 – DEFINITIONS TO PROVIDE ADDITIONAL REGULATORY**
17 **PROTECTION FOR SENSITIVE WATERSHEDS (AB2002-222B)**

18
19 Fleetwood reported for the Planning and Development Committee and stated
20 this item is held to a special committee meeting.

21
22 **1. REPORT AND POSSIBLE ACTION ON THE RESOLUTION INITIATING**
23 **COMPREHENSIVE PLAN AND ZONING AMENDMENTS FOR 2003**
24 **(AB2003-075)**

25
26 *(Clerk's Note: Continued from above.)*

27
28 **Fleetwood** reported for the Planning and Development Committee and
29 **moved** to docket item 2003-A.

30
31 **Motion carried unanimously.**

32
33 **Fleetwood** reported for the Planning and Development Committee and
34 **moved** to docket item 2003-B.

35
36 **Motion carried unanimously.**

37
38 **Fleetwood** reported for the Planning and Development Committee and
39 **moved** to docket item 2003-C.

40
41 Brenner stated she is concerned about creating that kind of density into the
42 Guide area, knowing they won't have solutions to the Guide for a very long time.
43 She was impressed with the representative's indication that they are willing to work
44 with the County to find something that would work. She is not opposed to finding
45 an area in the proposal that would work now. She is not interested in going all the
46 way out to the Smith Road at this point. She will support the motion.

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1 Roy asked what Bellingham recommends.
2

3 Fleetwood stated the City of Bellingham is working with the County to review
4 its urban fringe subarea plan. The County has to approve that. This property is in
5 one of the review areas. This area is part of the review area considered by the
6 City. This area will be reviewed anyway. The City did not attend the meeting
7 today.
8

9 Nelson stated Patricia Decker requested in a letter that the Council docket
10 this item.
11

12 Caskey-Schreiber stated it is a bit premature. They haven't developed a
13 good plan on how to impose impact fees. This is a substantial development of
14 2,000 homes. It will have an affect on the Meridian School District. Have that
15 figured out before approving that size of a development. She is concerned about
16 how they are to mitigate traffic impacts to the Guide Meridian.
17

18 Brenner stated she understood that the County has the ability to impose
19 impact fees. Goodwin stated the County has that ability, but there is not an
20 ordinance to allow them to do that yet. The Transportation Chapter of the
21 Comprehensive Plan says the County should develop an impact fee ordinance.
22

23 Nelson stated its time to evaluate these urban growth areas. Docketing
24 doesn't mean it is approved. At a rate of 1,200 to 1,800 new residents per year
25 coming to Whatcom County, they could reach a critical mass.
26

27 Roy asked the consequence of not docketing this item. She is afraid of
28 developing a huge urban fringe area.
29

30 McShane stated it is not clear of what will happen. This area will be
31 reviewed one way or another. However, because they are docketing this particular
32 area, the applicant will probably bring forward some well-thought out ideas on this
33 particular area. It may be to their advantage to have this docketed. There is a lot
34 of fantasy zoning in the County. This is one area that would likely be developed
35 and would likely require an environmental impact statement, which would address
36 some of these concerns.
37

38 Roy asked if the developer would have an advantage if the Council docket
39 this item.
40

41 McShane stated the Council would have more information about this area.
42

43 Caskey-Schreiber asked what would happen if they didn't docket this item
44 this year. Goodwin stated one consequence is one more year extension of the
45 process. If there were a shortage of land supply, it would be one more year to find
46 a potential solution to that. The Planning Commission has tabled the Lake
47 Whatcom downzone until they figure out where they will transfer the density. If

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1 they don't move ahead with looking at the urban fringe this year, it may result in a
2 continuing tabling of that issue. The other consequence is that staff will start on
3 looking at the urban fringe. However, staff won't feel pressured to finish it this
4 year. Staff might stretch the review over two years. It might stretch out to two
5 years anyway. She is concerned about the schedule, but is pushing for it.
6

7 Caskey-Schreiber stated it was mentioned that this might be a possible
8 receiving area for the Lake Whatcom downzone. She asked if they would require
9 the developer to work with the downzone people and purchase their development
10 rights. Goodwin stated they have volunteered to purchase some of the density and
11 make it a rezone tied to purchasing some development rights. They don't know
12 what the ratio would be. They are working on what one transfer of development
13 right (TDR) out of the watershed is worth.
14

15 Caskey-Schreiber stated she is also concerned about whether that really
16 mitigates the negative impacts to the surrounding areas of this development.
17 Goodwin stated all of those things need to be looked at. That would be part of the
18 urban fringe plan.
19

20 Roy stated she is sensing that the addition of this will impact staff workload.
21 She asked if Ms. Goodwin is comfortable with that. Goodwin stated it would
22 definitely impact her workload. It is one of the items she is trying to assign staff
23 to. These two items are tied together. Without receiving areas and utilities, they
24 won't have a successful TDR program. The City has a meeting soon to consider its
25 utility extension policy, and whether they should extend utilities into the urban
26 growth area at all. If they don't, there will be no development in the urban fringe.
27 Part of the City's concerns is that the County doesn't have urban infrastructure
28 development standards. Unless the County and City work cooperatively in the
29 urban fringe, the City may turn off the water and there will be no TDR's. Docketing
30 this item will move it forward.
31

32 ***Motion to docket carried unanimously.***

33
34 ***Fleetwood*** reported for the Planning and Development Committee and
35 ***moved*** to docket item 2003-F.
36

37 Brenner stated she is against the motion. She supports a rezone for the
38 building only.
39

40 *(Clerk's Note: End of tape one, side B.)*
41

42 Brenner continued to state they could put the portion of the property that is
43 proposed for general commercial into rural, instead. There is a scale at crossroads
44 commercial that isn't like general commercial. It is a very irregular line. She'd
45 support a request for the building, but not for all the acreage.
46

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1 Caskey-Schreiber stated she took a look at the property again today. The
2 chicken coop, which they are saying is the reason for rezoning this, only extends
3 five feet into that two-acre request to rezone general commercial. The County has
4 nothing to gain from doing this. The company is reducing the property value of
5 every property around it. They are talking about needing buildable lands. This is
6 perfect for that. It has rich soil and perfectly flat lots. They could even upzone it.
7 she doesn't understand why they are going to a zone that doesn't fit the area
8 because of a remodeled chicken coop. It is not crossroads commercial, which is
9 designed to service the local area. This kind of operation should exist in light
10 impact industrial zones.

11
12 Nelson asked if the property is in a general commercial use now. Goodwin
13 explained the current zoning line. She's not sure what the exact use of the chicken
14 coop is. The business would fit in the general commercial zone. The building
15 straddles the zoning line, which creates a problem for the property owner about
16 what to do with the building.

17
18 Nelson stated it would be appropriate for the applicant to request that the
19 entire building be in general commercial. This request goes beyond that. It creates
20 a strange boundary into the rural zoning.

21
22 Fleetwood stated he concurred with many of Councilmember Caskey-
23 Schreiber's observations and is sympathetic to them. However, the
24 councilmembers have received about a paragraph of information, and the Council is
25 discussing the merits without lots of information. He's comfortable reviewing it.
26 That does not mean he will support the rezone. It just means they are going to
27 have a fuller conversation about it with more information.

28
29 Nelson stated it is a difficult decision. Council recently decided to spot
30 rezone a property in the watershed. Here, this individual has a legitimate reason.
31 Part of the business has been cut in half. It's not a rezone of the business. It is a
32 commercial business that exists and is in compliance. They are here to help solve
33 problems with the zoning map. The applicant is willing to put the money forward to
34 have it looked at. This is exactly what they are supposed to do.

35
36 Brenner stated several pages of information was submitted by the applicant.
37 She has enough information to get a feel for the request.

38
39 Caskey-Schreiber stated that by pushing out the general commercial
40 boundary, they are going against the Growth Management Act, which she read a
41 portion of into the record regarding abnormally irregular boundaries. It adds to
42 low-density sprawl. She doesn't know why they are rewarding the owners by
43 putting this forward. The owners are clearly operating in an area that they should
44 be operating in.

45
46 ***Motion carried 4-3 with Brenner, Roy, and Caskey-Schreiber***
47 ***opposed.***

1
2 **Fleetwood moved** to docket item 2003-H to get it on the floor. The
3 Planning Committee voted unanimously to deny the request.
4

5 Crawford stated he will speak for the motion. This proposal needs some
6 work. It is the kind of thing the Planning Commission can work on. Ms. Goodwin
7 brought up good points about the possible inclusion of industrial areas and how
8 they are impacted as they remove industrial areas from developable status. This is
9 an excellent topic for the Planning Commission and the staff to discuss. Bring back
10 something that is workable.
11

12 Brenner stated she also supports it. She agreed that it needs a lot of fine-
13 tuning. If the Council is going to reduce density in one location, allow for it
14 somewhere else.
15

16 Nelson stated he is in favor of the motion. Many of the councilmembers who
17 are proponents of the downzoning encourage that density be transferred into the
18 urban area, larger buildings are built to accommodate more people, and a
19 contiguous zone is maintained around the city. The question is whether that will
20 really happen, whether cities are willing to take more density, and if this is
21 appropriate in terms of the Growth Management Act. They can't just think of
22 increasing densities in certain areas without ramifications. Likewise, they have to
23 have ways to address the issues of decreasing densities.
24

25 Roy stated she thought they did that with the Comprehensive Plan. They
26 have to have a certain housing supply in this county. If the Council changes the
27 zoning in one area, it is already part of the planning process to look at the total
28 buildable land that is available. They do that. Ms. Goodwin could probably tell
29 them how many buildable lots they have and where they are. This is not anything
30 they are already doing or required to do. A zoning change is not a one-to-one
31 relationship. They need to know they have enough buildable lots in Whatcom
32 County to meet the projected population increases. This is not a necessary
33 discussion.
34

35 Caskey-Schreiber stated she agreed with Councilmember Roy. They are all
36 aware they need to add density if it is taken away somewhere else. Ms. Goodwin
37 explained that it will be very difficult to have one upzone in hand and a downzone
38 in another. They all know that expanding urban growth areas will increase density.
39 That will happen naturally through the Comprehensive Plan. She is against the
40 motion.
41

42 Fleetwood stated he agreed with councilmembers Roy and Caskey-Schreiber.
43 Growth management does not mandate this. They review their needs in the review
44 process. It already happens.
45

46 Brenner stated it is supposed to happen, but it doesn't happen. That's why
47 this needs to be docketed. They have an obligation to actually do the increases

1 that offset the decreases. If nothing else, it makes them more cautious when they
2 do downzoning. This is a discussion that is extremely important to have.
3

4 Nelson stated several court cases came out of the Growth Management Act.
5 In King County, there was a density change in one area with the justification that
6 density could be increased in other areas. The court decided against the county
7 when it was challenged. The reasoning is that they are pushing densities into areas
8 without proper Comprehensive Plan policies and procedures by taking density out of
9 one area and putting it into another area. They can't look at it in a global sense.
10 There has to be a mechanism to adjust the areas they are affecting.
11

12 McShane stated they've done only one downzone so far. It was taken into
13 account. He was struck by some of the information they got in that process about
14 how much upzoning has occurred since the Comprehensive Plan was adopted in
15 1997. Since 1997, the County has created close to 3,000 additional building lots
16 through zoning. Those evaluations have been taking place, and will need to take
17 place again in the future. If there are any more zoning changes, it has to be very
18 carefully thought out. They have to think about local areas, not just countywide.
19 There may be some areas where they may want to limit growth for a variety of
20 reasons, including environmental and economic reasons. Mr. Wiesen has a valid
21 point, but it is already addressed in the plans, regarding some people's opinions.
22

23 ***Motion failed 3-4 with Brenner, Crawford, and Nelson in favor.***

24 ***Fleetwood moved*** to docket item 2003-I.
25

26
27 Nelson asked if there is a proposal. They've been trying to address
28 affordable housing for ten years. The Council has heard from the building industry,
29 realtors, and a lot of people. They have yet to achieve affordable housing. The
30 industries that are dealing with that have talked about supply being a critical issue.
31 He's not sure whether or not the Comprehensive Plan will be able to address it.
32 He'd like more information on what they will accomplish on a policy for affordable
33 housing.
34

35 McShane stated supply and market forces are certainly a factor. Timeliness
36 is critical. Market forces are driven by where the demand is. The demand comes
37 from the people who have the money to buy the houses. The builders are going to
38 build houses for the people who have the money. There are people in the
39 community who don't have the money to buy houses. It's not going to be just
40 market and supply issues. Other things need to be in the toolbox to address
41 affordable housing. Paul Schissler has put together the Kulshan Land Trust, which
42 the County supported by a grant. It is moving forward to provide affordable
43 housing through a different approach that is just not market-based. The
44 Comprehensive Plan policy would be to support those types of activities. They've
45 already supported that effort, but they should support it more. It's a matter of
46 where they put the County resources, or where they apply for grant programs and
47 administer those to ensure that operations like the Kulshan Land Trust will actually

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1 function and work. In large-scale developments, they could assure that programs
2 are in place to set aside land for affordable housing options.

3
4 Nelson stated it would drive up the price of other houses.

5
6 McShane stated there is a potential risk of that.

7
8 Nelson stated the proposal is worthy of discussion, but he's seen many
9 ramifications of the policies on affordable housing over the years. They have to be
10 careful of the County tax dollars.

11
12 McShane stated this is not going to be just a market-based approach. They
13 need other policies and procedures.

14
15 Brenner stated Paul Schissler is very innovative and does a good job.
16 However, she doesn't have any illusions that they will have affordable housing. The
17 market does have a lot to do with whether or not there is affordable housing.
18 There is only so much housing they can subsidize without robbing Peter to pay Paul.
19 She supports anything they can do to make it a little less painful for people.

20
21 McShane stated more than market forces are going on. One individual wants
22 to sell two homes for \$90,000 each. They are valued at \$190,000 each. There are
23 other folks out there who are charitable. The County needs to support those
24 organizations.

25
26 Caskey-Schreiber stated affordable housing can be improved in the county
27 by requiring developments such as Caitec to have a certain percentage of their
28 development in affordable housing, with small lots and small homes.

29
30 Brenner stated they can require Caitec to have small lots and small houses,
31 but it will not provide affordable housing. Those houses will still sell at market
32 value. The only other option for truly affordable housing is subsidized housing.
33 That is something that they ought to look at. Mr. Schissler's group is looking at
34 that.

35
36 ***Motion carried unanimously.***

37
38 *(Clerk's Note: Continued after Other Items number four, below.)*

39
40 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
41 **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE**
42 **CITY OF BELLINGHAM TO PROVIDE EMERGENCY MEDICAL SERVICE**
43 **THROUGH THE E.M.S. LEVY (AB2003-047)**
44

45 Crawford reported for the Finance and Administrative Services Committee
46 and stated this was held in committee, with the intent that the administration would

1 continue to work on the interlocal agreement, given the comments made by the
2 councilmembers.

3
4 **3. ORDINANCE AMENDING THE 2003 WHATCOM COUNTY BUDGET,**
5 **FIRST REQUEST (AB2003-074)**
6

7 **Crawford** reported for the Finance and Administrative Services Committee
8 and **moved** approval of the ordinance.
9

10 **Brenner moved** to remove the request for \$38,000 for Law & Justice
11 Council staffing. The Law and Justice Council has done an admirable job, but it's
12 time for the advisory committee to be weaned of its staffing. Other advisory
13 committees use departmental staff as a part of the staff's job. It isn't fair to other
14 advisory committees. This Council approved a budget that is already dipping into
15 reserve funds. Don't further dip into the reserve funds for this use.
16

17 Nelson stated he was under the impression that this is not a County staff
18 person. He asked if Ron Peterson is contracted with the County.
19

20 Dewey Desler, Deputy Administrator, stated approximately \$19,000 of the
21 total amount will be used to contract with the Northwest Regional Council for staff
22 assistance. The remaining amount will be used for miscellaneous items, including a
23 contract with Ron Peterson.
24

25 Nelson stated he support's Councilmember Roy's concerns about advisory
26 committee funding. The Council set up the Law and Justice Council this way. This
27 is a group that is involved with the community. If the Council no longer wants to
28 operate the Law and Justice Council, it should vote to disband it, and find an
29 alternative for planning for capital facilities. It will cost money either way. The
30 Domestic Violence Commission also contracts for a staff person at a similar cost.
31

32 Crawford asked what the cost center number for the funding source
33 represents. Desler stated it comes from the general fund.
34

35 Brenner stated she has a lot of respect for Ron Peterson. However, she is
36 not willing to fund a salary of \$3,500 a month. She would be willing to fund the
37 County's half for the clerical support and incidental supply costs.
38

39 Roy stated the only two goals for the future that were brought up were the
40 jail planning and management information system. The County has allocated
41 \$350,000 to study capital facilities. She assumed that the jail and discussions with
42 community members will be an integral part of that. There is also a separate
43 committee looking at management information systems, which also requires
44 funding. The Law and Justice Council work has been excellent, but \$3,500 per
45 month is a lot of money just for one person. More money is required for clerical
46 support. She would support the money for the clerical work that needs to be done.
47

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1 Pete Kremen, County Executive, stated the Law and Justice Plan, which the
2 County paid for and was highly acclaimed, provided a lot of useful information. The
3 plan recommended a paid coordinator for the Law and Justice Council. He is
4 sensitive to the concerns of funding this position. In working with the County
5 prosecutor recently, they found a funding source other than the general fund to
6 fund this position. He asked the Council to support the money for this purpose if
7 the administration is able to come up with the \$38,000. The money would come
8 from the drug fund.

9
10 Dave McEachran, Prosecuting Attorney, stated there is a program contracted
11 with the State using federal monies regarding child support. An extra \$42,000 will
12 come in from this program that was not included in the 2003 budget.

13
14 Caskey-Schreiber asked if this money would be available next year.
15 McEachran stated he is looking at this year's budget. This is a plan for funding this
16 position for this year.

17
18 Brenner stated they should use that money to help those kids whose fathers
19 are not supporting them. That is the purpose of that federal money. She's glad
20 they've found a pocket of money, but they should not fund a paid staff position with
21 that money.

22
23 Nelson stated capital facilities planning is different than criminal justice, as
24 far as what this group is looking at. This group is looking at integrating programs
25 within the criminal justice system to make it work more efficiently. The small cities
26 and the public needs to be involved.

27
28 Crawford asked if the proposal is to take federal dollars that are supposed to
29 help kids and mothers who can't get child support and using it to fund Law and
30 Justice Council incidental costs. He would rather see funding for the Law and
31 Justice Council position from the general fund if it displaces any dollars that are to
32 be used to help children and mothers. McEachran stated that is not the proposal.
33 The State reimburses the County for the money it spends on child support
34 contempt cases.

35
36 *(Clerk's Note: Beginning of tape three, side A.)*

37
38 McEachran continued to state that the state has recomputed the cost
39 allocation. The State was paying him too little for reimbursement. The State has
40 now increased its reimbursement amount. It is revenue to Whatcom County. It
41 doesn't go to the parents or anyone. It is for the work he does in his office.

42
43 Crawford asked if the presence of these dollars changes the workflow or the
44 number of cases they handle. McEachran stated it does not.

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1 Crawford asked if it would be better to get a part-time person to handle
2 more cases. McEachran stated he has been allocated a number of positions
3 through the State, and that is all the positions he can get.
4

5 Crawford asked if they are certain that this money from this grant could be
6 used for the Law and Justice Council. McEachran stated this money could be used
7 for this purpose.
8

9 Caskey-Schreiber stated it seems that the Law and Justice Council has
10 reached some forgone conclusions about the jail situation and the data integration
11 system upgrade. However, there are new factors, such as the capital facilities
12 study. The capital facilities study will not look at all law and justice issues, but it
13 will address the jail. She hoped the Law and Justice Council will take in this new
14 information as well as other new information. Look at other recommendations for a
15 jail.
16

17 She is concerned about the data system. She is concerned that they are
18 trying to keep a dinosaur alive. The new undersheriff has concerns about it, and
19 has suggested doing comparative shopping. She doesn't want to see
20 recommendations to maintain the status quo from the Law and Justice Council.
21 She wants to see the Law and Justice Council really investigate things, come up
22 with new information, and be in contact with the County Council. If they can find
23 outside funding for the position, she would support it.
24

25 Brenner stated that newfound funding should instead be used to reduce the
26 necessity to dip into the reserve fund. It's wrong to have a fulltime staff person
27 that only staffs an advisory committee.
28

29 Nelson stated that group facilitation is often needed with complex problems.
30 The Council has done that. It is not fair to expect a secretarial position to facilitate,
31 provide information, and direct discussion.
32

33 Roy stated she would expect the professionals within the departments to do
34 this. That is what they are hired to do. It is part of their job to communicate and
35 interface with different departments that are related.
36

37 ***Motion to amend carried 4-3 with Nelson, Crawford, and Fleetwood***
38 ***opposed.***
39

40 ***Brenner moved*** to appropriate a total of \$20,000, with \$10,000 coming
41 from the City of Bellingham's allocation, for clerical support for the Northwest
42 Regional Council.
43

44 Fleetwood asked the implication of supporting this if the Executive brings
45 forward another request to fund the position with the money the administration has
46 found. Kremen stated he would not make another request.
47

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1 Desler stated the \$42,000 would be revenue deposited into the general fund,
2 and will affect only the fund balance.

3
4 ***Motion to amend carried 6-1 with Nelson opposed.***

5
6 ***Motion to approve the ordinance as amended carried unanimously.***

7
8 **4. REQUEST AUTHORIZATION TO RENEW THE COUNTY'S 2003/2004**
9 **PROPERTY INSURANCE POLICY (AB2003-081)**

10
11 ***Crawford*** reported for the Finance and Administrative Services Committee
12 and ***moved*** approval.

13
14 ***Motion carried unanimously.***

15
16 **1. REPORT AND POSSIBLE ACTION ON THE RESOLUTION INITIATING**
17 **COMPREHENSIVE PLAN AND ZONING AMENDMENTS FOR 2003**
18 **(AB2003-075)**

19
20 *(Clerk's Note: Continued from above.)*

21
22 McShane stated the Council has voted individually to docket items A, B, C, F,
23 and I. ***He moved*** to approve the resolution, with the amendment to Exhibit A, the
24 docket of proposed Comprehensive Plan and zoning amendments, to docket only
25 these items.

26
27 ***Motion carried unanimously.***

28
29 **5. REPORT AND POSSIBLE ACTION ON A PROPOSED LETTER TO BE SENT**
30 **TO THE WASHINGTON STATE LEGISLATURE **FEDERAL LEGISLATIVE****
31 ****DELEGATION** REGARDING RATE INCREASES FOR CABLE SERVICE**
32 **(AB2003-080)**

33
34 Brenner reported for the Public Works and Capital Projects Committee and
35 stated the letter was amended and approved. The letter should be sent to the
36 Washington Federal Legislative Delegation, not the Washington State Legislature,
37 regarding rate increases for cable services. ***She moved*** to approve the letter with
38 the amendments made in committee. She read the amendments:

- 39
40
41
42
- First paragraph, "...to investigate the enormous excessive rate increases for cable service and adverse impacts to citizens."
 - Second paragraph, "...supports cable rates increases that reflect..."

43
44 A constituent is very concerned about the rapidly increasing rates in cable
45 service. The Bellingham Herald ran an extensive article about Senator John McCain
46 putting together a committee to investigate the 40 percent increase in cable rates.
47 The cost of inflation for cable has been around four or five percent. Cable service is
not a free enterprise service. It is a franchise, and is basically a monopoly. People

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1 deserve to have as many potential options for communication services as much as
2 possible. For the people who like to use cable as the means of learning what is
3 happening in the world, the Council should represent their interests.
4

5 Crawford stated he opposes this motion. He pays a cable bill. The letter
6 infers that the Council agrees that the cable bill has increased excessively. They
7 have not had any kind of good discussion on whether or not the cable bills have
8 increased excessively. His instincts tell him that the market will determine whether
9 or not people will pay for cable, which certainly has competition. The issue is not
10 the same as a telephone, which is a necessity. This is television, which is still a
11 luxury in our society. People can choose to have it or not have, to pay for it or not
12 pay for it. He is not willing to take this leap to weigh in on a national committee
13 investigating excessive cable increases.
14

15 Brenner stated cable is another option for people to gain information. She
16 disagrees that there are a lot of options in some communities. There is very little
17 local service to tune in to if someone doesn't have cable. When the County
18 approves franchises and supports a monopoly, it is almost like a utility.
19

20 ***Motion to send the letter carried 5-2 with Crawford and Fleetwood***
21 ***opposed.***
22

23 **7. RESOLUTION APPROVING RECOMMENDATIONS FOR OPEN**
24 **SPACE/OPEN SPACE AND OPEN SPACE TIMBER APPLICATIONS**
25 **(AB2003-086)**
26

27 *(Clerk's Note: Councilmember Caskey-Schreiber assumed the duties of the*
28 *chair for the remainder of the meeting. Councilmember McShane participated in*
29 *the meeting, but did not act as chair.)*
30

31 ***Fleetwood*** reported for the Planning and Development Committee and
32 ***moved*** approval of the resolution and all applications.
33

34 ***Motion carried unanimously.***
35

36 **8. APPROVAL OF AMENDED SCHEDULE FOR UPCOMING SPECIAL**
37 **COUNCIL MEETINGS (AB2002-451)**
38

39 ***Brenner moved*** approval.
40

41 ***Motion carried unanimously.***
42

43 **9. RESOLUTION APPROVING THE ACTION OF THE STATE OF**
44 **WASHINGTON ECONOMIC DEVELOPMENT FINANCE AUTHORITY AND**
45 **THE ISSUANCE OF NON-RECOURSE REVENUE BONDS TO FINANCE AN**
46 **ECONOMIC DEVELOPMENT FACILITY FOR ABSORPTION**
47 **CORPORATION (AB2003-087)**

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Nelson moved approval.

Motion carried unanimously.

10. REQUEST CONFIRMATION OF THE EXECUTIVE’S REAPPOINTMENT OF NANCY KAYE TO THE PARKS AND RECREATION COMMISSION (AB2003-088)

Nelson moved approval.

Motion carried unanimously.

11. REQUEST CONFIRMATION OF THE EXECUTIVE’S APPOINTMENT OF WENDY STEFFENSEN TO THE MARINE RESOURCE COMMISSION (AB2003-089)

Roy moved approval.

Motion carried unanimously.

12. REQUEST CONFIRMATION OF THE EXECUTIVE’S REAPPOINTMENT OF SEAN HORTON TO THE DEVELOPMENT STANDARDS TECHNICAL ADVISORY COMMITTEE (TAC) (AB2003-090)

Nelson moved approval.

Motion carried unanimously.

13. REQUEST CONFIRMATION OF THE EXECUTIVE’S APPOINTMENT OF KEN SCHILKE TO THE AGRICULTURAL ADVISORY COMMITTEE (AB2003-091)

Brenner moved approval.

Motion carried unanimously.

INTRODUCTION ITEMS

Nelson moved to accept the Introduction Items.

Motion carried unanimously.

1. ORDINANCE AMENDING WHATCOM COUNTY CODE 3.05.010, TORT AND DAMAGE CLAIMS (AB2003-092)

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1 **2. ORDINANCE AMENDING WHATCOM COUNTY CODE 8.10, SOLID**
2 **WASTE AND RESIDENTIAL RECYCLING COLLECTION (AB2003-093)**

3
4 **3. ORDINANCE AMENDING THE 2003 BUDGET, AMENDMENT NO. 2**
5 **(AB2003-094)**

6
7
8 **OTHER BUSINESS**

9
10 ***Nelson moved*** to correct the map of the Ferndale urban growth area (UGA)
11 as attached to ordinance 2003-006, submitted by Planning Division Manager Sylvia
12 Goodwin.

13
14 ***Motion carried unanimously.***

15
16 Roy stated she composed a letter to senators Murray and Cantwell to support
17 Representative Rick Larsen's efforts to get funding from the federal government for
18 the law and justice systems on the northern border. It is money for help to the
19 prosecuting attorneys for communities located on the northern American border to
20 Canada. The southern border has already received this funding. She submitted
21 copies of her draft letter to the councilmembers. ***She moved*** approval of her draft
22 letter.

23
24 Nelson stated representatives are going to the National Association of
25 Counties (NACo) conference. He suggested mailing this letter before that
26 conference. Make sure the local representatives also have a copy when they get to
27 the conference.

28
29 Roy stated Prosecuting Attorney McEachran estimates that Whatcom County
30 absorbs over \$2 million a year in costs directly related to the border.

31
32 ***Motion carried unanimously.***

33
34
35 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**

36
37 Nelson stated he has been meeting with a health access group to make sure
38 they find some mechanism to provide health care to those with low incomes. A
39 broad array of people in the community are working on the effort. He will take
40 some of this information back to Washington D.C.

41
42 Brenner stated she wants her letter about the County Construction Recycling
43 dumpsite on the next Board of Health agenda. She is concerned about leachate or
44 runoff. A citizen recently walked near the site with his dog. The dog came in
45 contact with some kind of material, and it got sick. Someone at the Health
46 Department said it was up to the facility owner to do his own monitoring. At this

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1 point, someone from the County should evaluate the situation. ***She moved*** to
2 schedule this item on the next Board of Health meeting on April 1, 2003.

3
4 Crawford stated the Council should wait for a response from the Health
5 Department first. If the Council has further questions after reading the response, it
6 can schedule the issue on the Board of Health agenda then.

7
8 Brenner stated she would like a vote of confidence that it can be scheduled
9 on the agenda. If the Council decides the situation is taken care of, the Council can
10 remove it from the Board of Health agenda.

11
12 Nelson stated it is more appropriate that the chair, working with the
13 administration, can take care of handling this.

14
15 Brenner stated this citizen would like an opportunity to be involved in the
16 discussion. There is no better forum than the Board of Health.

17
18 ***Motion failed 3-4 with Brenner, Caskey-Schreiber, and Fleetwood in***
19 ***favor.***

20
21
22 **ADJOURN**

23
24 The meeting adjourned at 9:55 p.m.

25
26
27 _____
28 Jill Nixon, Minutes Transcription

29
30 These minutes were approved by Council on March 11, 2003.

31
32 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

33
34
35
36
37 _____
38 Dana Brown-Davis, Council Clerk

Dan McShane, Council Chair