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1 **MINUTES CONSENT**
2

3 **1. REGULAR COUNTY COUNCIL FOR MARCH 11, 2003**
4

5 *Nelson moved* to approve the Minutes Consent item.
6

7 *Motion carried unanimously.*
8
9

10 **OPEN SESSION**
11

12 The following people spoke:
13

14 Carole MacDonald, Inn at Mt. Baker owner and Mt. Baker/Foothills Chamber
15 of Commerce President, stated the newly redeveloped Mt. Baker/Foothills Chamber
16 of Commerce and Economic Development Committee in the East County are trying
17 to promote tourism. The Board of Directors is very talented. The Economic
18 Development Committee has formed three subcommittees: Infrastructure,
19 Marketing and Tourism, and Trails and Recreation. They are doing an inventory of
20 what they've got. They are reviewing all the studies that have been done to see
21 what they recommend. They will then proceed to implementation.
22

23 When she became president of the Chamber, it became evident that there
24 are groups of people all approaching the various jurisdictions and agencies. There
25 was no cohesive group working together. That is where they are going.
26

27 Diana Ashe, Whatcom Counseling and Psychiatric's Rainbow Center public
28 relations representative, stated there was a meeting this afternoon about the
29 Human Race. She also hears that the Council talks about the peer support advisory
30 board. She will attend each Council meeting if the councilmembers need any
31 information, and she will make reports. She asked for public relations support.
32
33

34 **PUBLIC HEARING**
35

36 **1. RESOLUTION TO SELL TAX TITLE PROPERTY BY NEGOTIATION,**
37 **REQUEST #01-03 (AB2003-115A)**
38

39 McShane opened the public hearing and, hearing no one, closed the public
40 hearing.
41

42 *Nelson moved* to approve the resolution.
43

44 *Motion carried unanimously.*
45

46 **2. RESOLUTION TO SELL TAX TITLE PROPERTY BY PUBLIC AUCTION,**
47 **REQUEST #02-03 (AB2003-116A)**

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1
2 McShane opened the public hearing and, hearing no one, closed the public
3 hearing.

4
5 ***Nelson moved*** to approve the resolution.

6
7 ***Motion carried 6-1 with Caskey-Schreiber opposed.***

8
9 **3. RESOLUTION TO SELL TAX TITLE PROPERTY BY PUBLIC AUCTION,**
10 **REQUEST #03-03 (AB2003-117A)**

11
12 McShane opened the public hearing and, hearing no one, closed the public
13 hearing.

14
15 ***Brenner moved*** to approve the resolution.

16
17 Crawford stated that it does not look like there is any access to this property,
18 but there are quite a few lots. An easement is not indicated on the map.

19
20 ***Motion carried 6-1 with Caskey-Schreiber opposed.***

21
22 **4. RESOLUTION TO SELL TAX TITLE PROPERTY BY PUBLIC AUCTION,**
23 **REQUEST #04-03 (AB2003-118A)**

24
25 McShane opened the public hearing and, hearing no one, closed the public
26 hearing.

27
28 ***Nelson moved*** to approve the resolution.

29
30 ***Motion carried unanimously.***

31
32 **5. RESOLUTION TO SELL TAX TITLE PROPERTY BY NEGOTIATION,**
33 **REQUEST #05-03 (AB2003-119A)**

34
35 McShane opened the public hearing and, hearing no one, closed the public
36 hearing.

37
38 ***Fleetwood moved*** to approve the resolution.

39
40 ***Motion carried unanimously.***

41
42
43 **CONSENT AGENDA**

44
45 ***Crawford*** reported for the Finance and Administrative Services Committee
46 and ***moved*** to approve Consent Agenda items one through eight.

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1 ***Motion to approve Consent Agenda items one through eight carried***
2 ***unanimously.***
3

4 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE**
5 **ANNUAL PURCHASE OF HERBICIDES USING THE WASHINGTON**
6 **STATE CONTRACT, THE VENDOR IS UAP NORTHWEST, AND THE**
7 **ANTICIPATED EXPENDITURE WOULD BE \$90,000 (AB2003-130)**
8

9 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID**
10 **NUMBER 03-16 TO THE LOWEST RESPONSIVE BIDDER, BUNO**
11 **CONSTRUCTION, LLC, FOR REPAIR OF THE SLIP-LINING OF VISTA**
12 **DRIVE/WHISKEY CREEK CULVERT, IN THE AMOUNT OF \$41,350**
13 **(AB2003-131)**
14

15 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID**
16 **NUMBER 03-18 TO LOWEST RESPONSIVE BIDDER, WASHINGTON**
17 **CULVERT, FOR THE ANNUAL SUPPLY OF LARGE SIZE**
18 **ALUMINIZED/GALVANIZED CULVERT IN THE AMOUNT OF**
19 **\$121,207.68 (AB2003-132)**
20

21 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
22 **CONTRACT RESULTING FROM RFQ 03-04, BETWEEN THE WHATCOM**
23 **COUNTY HEALTH DEPARTMENT AND BRIGID COLLINS HOUSE TO**
24 **FACILITATE REFERRALS FOR SUBSTANCE ABUSE AND OTHER**
25 **HEALTH SERVICES IN THE AMOUNT OF \$109,520 (AB2003-133)**
26

27 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
28 **CONTRACT BETWEEN WHATCOM COUNTY AND MEDICAL EXAMINER**
29 **DR. GARY GOLDFOGEL FOR A TWO-MONTH EXTENSION OF HIS**
30 **SERVICES IN THE AMOUNT OF \$43,911 (AB2003-134)**
31

32 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
33 **ANNUAL CONTRACT BETWEEN WHATCOM COUNTY SHERIFF'S OFFICE**
34 **AND USDA MT. BAKER-SNOQUALMIE NATIONAL FOREST FOR THE**
35 **PROVISION OF PATROL SERVICES OF A DEPUTY AND A FULLY**
36 **EQUIPPED, MARKED SHERIFF'S VEHICLE TO PATROL ANY AND ALL**
37 **AREAS ON NATIONAL FOREST LAND WITHIN WHATCOM COUNTY IN**
38 **AN AMOUNT NOT TO EXCEED \$60,000 (AB2003-135)**
39

40 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
41 **PROFESSIONAL SERVICES AGREEMENT RESULTING FROM RFP 03-03**
42 **BETWEEN WHATCOM COUNTY HEALTH DEPARTMENT AND**
43 **WESTCOAST COUNSELING AND TREATMENT CENTER TO PROVIDE**
44 **SUBSTANCE ABUSE SERVICES TO INDIVIDUALS IN THE WHATCOM**
45 **COUNTY JAIL AND/OR ALTERNATIVE CORRECTIONS CENTER, IN THE**
46 **CONTRACT AMOUNT OF \$21,100 (AB2003-136)**
47

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- 1 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
2 **PROFESSIONAL SERVICES AGREEMENT RESULTING FROM RFP 03-05**
3 **BETWEEN WHATCOM COUNTY HEALTH DEPARTMENT AND**
4 **WESTCOAST COUNSELING AND TREATMENT CENTER TO PROVIDE**
5 **OUTREACH AND ENGAGEMENT SERVICES TO SEVERELY ALCOHOL**
6 **DEPENDENT AND OTHER SEVERELY ADDICTED PEOPLE IN**
7 **BEHAVIORAL HEALTH CRISES, IN THE CONTRACT AMOUNT OF**
8 **\$47,500 (AB2003-137)**

9
10
11 **OTHER ITEMS**

- 12
13 **1. ORDINANCE AMENDING THE WHATCOM COUNTY 2003 BUDGET,**
14 **THIRD REQUEST (AB2003-126)**

15
16 *Crawford* reported for the Finance and Administrative Services Committee
17 and *moved* to adopt the ordinance.

18 *Motion carried unanimously.*

- 19
20
21 **2. RESOLUTION IN SUPPORT OF TEA-21 REAUTHORIZATION BILL,**
22 **HIGH PRIORITY TRANSPORTATION PROJECT TO EXTEND SKAGIT**
23 **RIVER BRIDGES TO PROTECT RAIL AND HIGHWAY**
24 **TRANSPORTATION CORRIDORS DURING A FLOOD (AB2003-125)**

25
26 *Brenner* reported for the Public Works and Capital Projects Committee and
27 *moved* to approve the resolution.

28
29 Some of the work done in the past has made these problems worse, but the
30 solution is not to deny this resolution. Whatcom County has done the same thing
31 in the past also by finding good solutions, only to find out the unintended
32 consequences down the road. This will benefit Whatcom County's commerce.

33
34 Roy asked whether or not the 100-year flood would affect Interstate 5. If
35 they are talking about flooding areas that have been built too close to the river in
36 the first place, she is less sympathetic than if it is a matter of closing down the
37 highway.

38
39 McShane stated a 100-year flood would shut down Interstate 5 whether or
40 not they have these bridges.

41
42 Roy stated the implication of the resolution is that this will solve all the
43 problems in Skagit Valley.

44
45 Brenner stated she didn't get that implication. She understands that this
46 will make the situation better and provide more protection. That's all Skagit
47 County can do at this point.

1
2 Caskey-Schreiber stated it seems that part of the problems have been
3 exacerbated because they have allowed so much development in the flood plain.
4 Now, the taxpayers are going to have to contribute more to fix their shortsighted
5 vision of valuing a pro-business reputation more than common sense. She is
6 inclined not to support the resolution for that reason.

7
8 Nelson stated they are working on a huge project that addresses
9 Councilmember Caskey-Schreiber's concerns about bailing out businesses that
10 have been located in the flood area. He believed that this request is for \$34
11 million for high-risk transportation corridors. They are supporting getting \$34
12 million to improve the bridges for flood conveyance. It doesn't deal with the entire
13 \$727 million they were asking for from Washington D.C.

14
15 McShane stated this is part of a much larger flood mitigation project that
16 has a variety of alternatives. This is an alternative for some funding that would
17 come from transportation dollars to resolve one of the issues that is causing
18 problems upriver. There is a narrow spot up river. They are not keen on an
19 overflow corridor in one area. He doesn't know the details. He is concerned about
20 the amount of money and whether it is well spent.

21
22 Pete Kremen, County Executive, stated the Skagit County Commissioners
23 and their staff put this request forward. These are Whatcom County's neighbors.
24 Whatcom County needs to cultivate a positive working relationship with those
25 commissioners because there are a lot of issues common to both jurisdictions. The
26 spirit in which he forwarded the proposed resolution to the Council was to work in
27 a collaborative way with Skagit County. This is an opportunity for Skagit Valley to
28 build in some redundancy in the north-south traffic, which affects Whatcom
29 County. He doesn't agree in total with Councilmember McShane, but he is not a
30 geologist. He understood that this is for improvements that would provide more
31 stability, predictability, and redundancy in commuting north and south. If there
32 are concerns, it would be thoughtful to contact Skagit County officials to find out
33 more about their reasons and rationale for the request.

34
35 McShane stated the neighborliness is important. He is very familiar with
36 Skagit County public works, their maps, where they are considering putting
37 floodways, and why they want to expand the area. He has concerns about the
38 cost. It might not be the best route to go, but he hesitates voting no on this
39 because he wants to help Skagit County.

40
41 **Brenner moved** to table to the next meeting to provide time for other
42 councilmembers to get their questions answered, however she is ready to approve
43 it.

44
45 McShane stated he is against tabling the motion.

46
47 Roy stated the County Executive has convinced her.

1
2 ***Brenner withdrew her motion to table.***
3

4 Caskey-Schreiber stated that Executive Kremen brought up some good
5 points so she will support the resolution.
6

7 ***Motion to approve carried unanimously.***
8

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

17 Fleetwood reported for the Planning and Development Committee and stated
18 this item would be held for about a month before it comes up for public hearing.
19

20 Nelson asked if the committee is finished with its work.
21

22 Fleetwood stated the committee should have moved approval, but it did not
23 do that. When it comes back to the committee agenda in a month, the committee
24 can approve it then. They have a version of the ordinance that will be made
25 available to the public for review.
26

27 Nelson asked if staff would be able to provide a clean version.
28

29 McShane stated the committee would take another round of input after the
30 clean version is made available.
31

32 Caskey-Schreiber stated that if they are considering including Drayton
33 Harbor, they should make that decision now so the Drayton Harbor residents have
34 an opportunity to comment.
35

36 Brenner stated she understood that in two weeks they are going to change
37 things, and there would be another length of time before a hearing.
38

39 Fleetwood stated they could bring it back in two weeks to vote it out of
40 committee, and then bring it back two weeks after that for public hearing. He liked
41 the idea of having a considerable amount of time to think about this. They've got
42 a version now that they can present to the public. If they put the issue back in
43 committee, and vote on it in committee, there will be another version out there in
44 two weeks.
45

46 Nelson recommended that the committee hold this in committee until they
47 are ready to vote it out, and the public can act on it.

1
2 Fleetwood stated he would make sure the various stakeholders are aware of
3 the version and the process.
4

5 **4. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING**
6 **ORDINANCE, TITLE 20, CHAPTER 20.22 – URBAN RESIDENTIAL**
7 **MEDIUM DENSITY (URM) DISTRICT TO REMOVE “PROFESSIONAL**
8 **OFFICES” AS AN ALLOWABLE CONDITIONAL USE (AB2003-124)**
9

10 *Fleetwood* reported for the Planning and Development Committee and
11 *moved* to approve.
12

13 *Motion carried unanimously.*
14

15 **5. CONSIDERATION OF HEARING EXAMINER’S RECOMMENDED**
16 **APPROVAL OF A PLANNED UNIT DEVELOPMENT, FILED BY RON**
17 **KILMER AND TOM FENTON FOR “ANCHOR MANOR, PHASE II”**
18 **(PUD97-002 AND PLS97-0003) (AB2003-129)**
19

20 *Fleetwood* reported for the Planning and Development Committee and
21 *moved* to approve.
22

23 Caskey-Schreiber disclosed that she asked Roland Middleton for clarification
24 of the record before the committee meeting.
25

26 *Motion carried unanimously.*
27

28 **6. REQUEST CONFIRMATION OF THE EXECUTIVE’S REAPPOINTMENT OF**
29 **RICHARD HAARD TO THE SALMON HABITAT RESTORATION CITIZEN**
30 **ADVISORY COMMITTEE (AB2003-138)**
31

32 *Brenner moved* to confirm the appointment.
33

34 *Motion carried unanimously.*
35

36 **7. REQUEST CONFIRMATION OF THE EXECUTIVE’S APPOINTMENT OF**
37 **VERONICA WISNIEWSKI TO THE PURCHASE OF DEVELOPMENT**
38 **RIGHTS OVERSIGHT COMMITTEE (AB2003-139)**
39

40 *Caskey-Schreiber moved* to confirm the appointment.
41

42 *Motion carried unanimously.*
43

44 **8. REQUEST CONFIRMATION OF THE EXECUTIVE’S APPOINTMENT OF**
45 **RON AKESON AND ROBERT CECILE, JR. TO THE MARINE RESOURCE**
46 **COMMITTEE (AB2003-140)**
47

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1 **Crawford moved** to confirm the appointment.
2

3 **Motion carried unanimously.**
4
5

6 **OTHER BUSINESS**
7

8 **Brenner moved** to send a letter on behalf of the Kendall Community
9 Resource Center Association in their efforts to obtain funding for a plan. She will
10 write the letter. The letter will be addressed "To whom it may concern," and
11 forwarded with other letters to the State and other places.
12

13 **Motion carried unanimously.**
14
15

16 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**
17

18 Brenner stated she attended an agriculture information meeting at the Skagit
19 County Public Utility District (PUD) regarding different parts of the economy, such
20 as agri-tourism. Another meeting will be held on April 10 regarding salmon versus
21 the farmer.
22

23 Nelson stated the State mental health division has been cut by \$10 million.
24 Because of that, they are going to cut more inpatient beds, which means a
25 tremendous impact on the local community. He will provide more information as he
26 gets the details.
27

28 Roy stated she attended the salmon hatchery classroom. It was very
29 inspirational.
30

31 Caskey-Schreiber agreed with Councilmember Roy.
32

33 Fleetwood stated a Western Washington University student is looking for an
34 internship with the Council.
35
36

37 **ADJOURN**
38

39 The meeting adjourned at 7:47 p.m.
40
41
42

43 _____
44 Jill Nixon, Minutes Transcription

45 These minutes were approved by Council on April 8, 2003.
46

47 ATTEST:

WHATCOM COUNTY COUNCIL

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WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Dan McShane, Council Chair