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1 evaluate the Northwest Straits Initiative to determine if the program is effective.
2 They are confident that they be continued.
3

4 Pete Kremen, County Executive, stated that this money will go a long way in
5 the County's efforts to enhance marine resources.
6

7 Amy Kraham, Marine Resources Committee Member, talked about projects
8 that include a creosote log inventory, community outreach to educate and
9 communicate with the community about marine resources, the forage fish project
10 that finds spawning grounds, a Marine Summit, and maintaining a marine data
11 library.
12

13 **2. PRESENTATION REGARDING RECOGNITION OF WHATCOM COUNTY**
14 **AS A "STORM READY COMMUNITY" (AB2003-180)**
15

16 Ted Beaner, National Weather Service Warning Coordination Meteorologist,
17 explained what it means to be storm ready. The program recognizes communities
18 that make the effort to better-prepare the community. He listed the benefits that
19 Whatcom County has to make it storm ready and the potential hazards in the
20 area. He presented the County with two road signs designating Whatcom County
21 as a storm ready community.
22

23 Pete Kremen, County Executive, accepted the road signs and stated that
24 Whatcom County is the only county in Western Washington to achieve this
25 designation. This will go a long way to reducing the insurance costs for those who
26 have to have flood insurance. There is a financial gain to the taxpayers of
27 Whatcom County. It is a tribute to the Emergency Management Division of the
28 Sheriff's Office. He stated that Bob Jacobsen is a meteorologist who volunteered a
29 lot of time to put together the data that enabled the County to get this
30 designation.
31

32 Neil Clement, Emergency Management Division Manager, stated it is an
33 honor to get this designation. Whatcom County is the second in the state to
34 achieve it. Because of all the weather hazards in the county, the collaboration
35 with the Weather Service has paid off.
36

37 Bill Elfo, Sheriff, thanked Neil Clement and Mr. Jacobson for their work and
38 effort on this project.
39

40 **3. PROCLAMATION BY EXECUTIVE PETE KREMEN REGARDING**
41 **RAINBOW CENTER (AB2003-017)**
42

43 Pete Kremen, County Executive, read the joint proclamation into the record.
44 The week of May 5 through May 9 will be Rainbow Center Week. He specifically
45 recognized and thanked several people, including Gary Williams, Jane Relin, Lyle
46 Stork, Sharon Matthews, Alex Johnson, Charles Albertson, Julian Marsh, Charles
47 Shirley, Russ Apienza, Jackie Elliott, and Tom Richardson. He also thanked the

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1 Council for its steadfast support over the years.
2
3

4 **MINUTES CONSENT**
5

6 *Brenner moved* to accept Minutes Consent items one through three.
7

8 *Motion carried unanimously.*
9

10 **1. COMMITTEE OF THE WHOLE FOR APRIL 22, 2003**
11

12 **2. REGULAR COUNTY COUNCIL FOR APRIL 22, 2003**
13

14 **3. WATER RESOURCES WORK SESSION FOR APRIL 15, 2003**
15
16

17 **OPEN SESSION (20 MINUTES)**
18

19 The following people spoke:
20

21 Dave Hansen, County Fire Commissioner Association of Whatcom County
22 President, stated he would speak on the **request authorization for the**
23 **Executive to enter into an interlocal agreement between Whatcom County**
24 **and the City of Bellingham for emergency medical services as approved by**
25 **the County Council on 4/22/03 with recommended changes by the City of**
26 **Bellingham (AB2003-165A).** He thanked the Council for its work with the City of
27 Bellingham to create the agreement. The Whatcom Medic One program is not
28 merely the Bellingham Fire Department and Whatcom County. It is predominantly
29 comprised of all county and city fire agencies. It is the one truly consolidated
30 emergency management services (EMS) delivery system, which has been proven
31 over the years. The failure of this new funding model and the responsibilities will
32 reduce the level of service to the public while increasing the cost. This system
33 needs to be maintained for the public's welfare. They felt September was a good
34 time for the levy to go forward. Whether the levy goes forward in September or
35 November, he supports the Council and the program. Move forward and promote it
36 to the citizens of the community.
37
38

39 **PUBLIC HEARING**
40

41 **1. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING**
42 **TEXT, CHAPTER 20.40, AGRICULTURE DISTRICT (AB2003-153)**
43

44 Kraig Olasen, Senior Planner, gave a staff report and stated this is an
45 amendment to the conditional use section of the agricultural district zoning. It adds
46 a provision to allow non-agricultural businesses as a secondary use in conjunction
47 with commercial operations that provide agricultural goods and services. The

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1 business must be the same type and function as the agricultural service business.
2 It must remain secondary and subordinate to the primary use. It must augment
3 survival of the primary use. It must not require additional area beyond that
4 required by the primary service business. It must satisfy Hearing Examiner review
5 of the project for compliance with the conditional use criteria. It must not require
6 greater levels of water and sewer or have greater impacts on surrounding
7 properties than the primary agricultural service business. The Planning
8 Commission recommends approval. The business owner has to submit an affidavit
9 up to once per year to verify the business is still secondary.

10
11 McShane opened the public hearing and the following people spoke:

12
13 Lesa Starkenburg-Kroontje, 115 Front Street, Lynden, stated she is in favor
14 of the ordinance. The Agricultural Advisory Committee, staff, and Planning
15 Commission support it. The Council Planning Committee also approves this. The
16 reason for this public hearing is because the Planning Committee removed another
17 recommendation regarding the agricultural zone from this ordinance, not because
18 the committee recommends a change.

19
20 There are safeguards built into the regulation to ensure that the agricultural
21 zone suits its intended purpose. There must be a primary agriculturally related
22 business. The business must be better suited in the agricultural zone than another
23 zone, the site must be better for the business than for actual agriculture, and the
24 business must provide goods and services only to the agricultural community.

25
26 An issue that came up was a question about whether this would allow
27 mushroom composting. It is specifically not allowed through this regulation.

28
29 Brenner asked how much leeway a farmer would have before the ancillary
30 business would be shut down. Starkenburg-Kroontje stated there will be conditions
31 imposed by the Hearing Examiner, which will include that the business be
32 consistent with the County zoning code. The zoning code has an annual review
33 period for financial records. The Hearing Examiner may find that the non-
34 compliance was temporary in nature.

35
36 Hearing no one else, McShane closed the public hearing.

37
38 **Nelson moved** to adopt the ordinance.

39
40 *(Clerk's Note: End of tape one, side A.)*

41
42 Nelson stated the language about what the primary and secondary
43 businesses can be is confusing.

44
45 **Brenner moved** to amend item 1, section 20.40.162 to insert the language,
46 ".162 Commercial operations, except for mushroom composting.... Examples of

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1 **primary agricultural commercial operations** include, but are not limited to:
2 livestock....”
3

4 Crawford stated the motion is unnecessary if this subsection is read in
5 context of the whole conditional use section. He is also opposed to listing examples
6 of “primary commercial operations” unless they do call it primary commercial
7 operations. They have not used that phrase before.
8

9 Caskey-Schreiber stated they haven’t used the term “secondary” before
10 either.
11

12 Brenner stated any clarification the Council can provide is worthwhile.
13

14 Nelson asked if staff has a problem with the motion. Olason stated it is
15 discussed in the following language.
16

17 ***Motion to amend carried 4-3 with Crawford, Roy, and McShane***
18 ***opposed.***
19

20 ***Motion to adopt the ordinance as amended carried unanimously.***
21
22

23 **2. ORDINANCE CONTINUING THE INTERIM CONDITIONAL USE**
24 **CRITERIA ADOPTED BY ORDINANCE 2002-068 FOR THE SITING OF**
25 **MUSHROOM COMPOSTING AS A CONDITIONAL USE WITHIN THE**
26 **AGRICULTURAL ZONING DISTRICT (AB2003-158)**
27

28 Kraig Olason, Senior Planner, gave a staff report and stated this is a
29 continuation of the current interim controls.
30

31 Crawford asked if the Planning Department is working on a permanent
32 ordinance. Olason stated a permanent ordinance is to be worked on.
33

34 Brenner stated there have been some changes. It has been through State
35 Environmental Protection Act (SEPA) review. She read an amendment that says
36 the SEPA official determined there were no significant adverse environmental
37 impacts that are likely to result from the adoption of this proposed ordinance, and
38 that any future actions associated with this ordinance should require additional
39 SEPA review.
40

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

43 Elizabeth Denning, 7082 Goodwin Road, stated that British Columbia
44 regulations are much more strict than Whatcom County regulations. Whatcom
45 County needs to enact regulations that are stricter than those in British Columbia to
46 encourage Canadian mushroom composters to find a local, Canadian source of
47 compost. Mushroom compost is made to increase the ammonia in it. That’s one

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1 reason it is odorous. The mushroom business is new in the United States and in
2 the world. That's why no one really understands the subject. Setbacks are very
3 important. The bio-filters at the facilities can go bad. Mushroom farming is not
4 about farming mushrooms. It is about making compost for the mushroom market.
5 Agricultural tourism is an up-and-coming thing. Mushroom composting will not help
6 that.

7
8 Greg Barlean, 6747 Ocean Road, Everson, stated mushroom composting is
9 not farming. This ordinance is not a prohibition against mushroom composting. It
10 is trying to get mushroom composters to behave. The inclusion of ancillary
11 production in the ordinance is correct. Small operations can get their compost from
12 Money's. The setbacks are okay. Commercial scale mushroom substrate
13 manufacturing is not farming. The indoor legislation in British Columbia did not kill
14 that industry. There is a small group of people who do not want to use indoor
15 compost. They think they've found a place to get their outdoor substrate. They
16 have a bad reputation.

17
18 Fleetwood asked if the largest mushroom facility in Whatcom County is
19 characterized as a small operation. Barlean stated it is a medium size operation.
20 The Ostrom operation uses 1,500 cubic yards of substrate a month. The average
21 British Columbia operation uses 1,200 cubic yards. The operation on Highway 9 is
22 very small. The IMS/Recomp facility is a medium to large commercial composting
23 facility. No mushrooms are grown there.

24
25 Brenner asked for clarification of a statement in Mr. Barlean's information
26 that says there is a danger that the Council's wishes could be circumvented if the
27 definition of "ancillary" is arbitrary or capricious. Barlean stated that came from
28 the Planning Department. He was asking that the County make sure the ordinance
29 deal with commercial and non-commercial composting. There are some
30 jurisdictions that allow up to 80 percent of the substrate to be shipped off-site, and
31 are still called ancillary. However, it still all needs to be done with indoor
32 technology.

33
34 Brenner stated there are no changes to the ancillary part of the interim
35 ordinance. Barlean stated that the interim ordinance is correct.

36
37 Hearing no one else, McShane closed the public hearing.

38
39 ***Brenner moved*** to adopt the ordinance. Two changes have been included.
40 Exhibit A, section 20.40.165, third sentence is new. Another change is clarification
41 of the security deposit in section 20.40.165(5).

42
43 ***Motion carried unanimously.***

44
45 **3. RESOLUTION APPROVING THE WHATCOM COUNTY BICYCLE PLAN**
46 **(AB2003-174)**
47

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1 Hal Hart, Planning and Development Services Director, gave a staff report
2 and stated this is a joint effort among the Parks Department, Planning Department,
3 Public Works Department, and the Bicycle/Pedestrian Advisory Committee. Many of
4 the ideas are already incorporated into the Comprehensive Plan. This plan is a
5 functional plan.

6
7 Roy asked if there were any representatives from the City of Bellingham.
8 Hart stated there were. During the development of the plan, they kept other
9 communities abreast of the plan.

10
11 McShane opened the public hearing and the following people spoke:

12
13 Jeff Margolis, 5455 Potter Road, Deming, stated he supports the plan. He
14 complimented and thanked the Executive for initiating this committee. He thanked
15 the Planning Commission for its unanimous approval and support of the plan. He
16 also thanked Hal Hart for supporting the committee and Ellen Barton for her work
17 on the committee. The chair, Scott Thompson, provided meticulous work toward
18 the project. It is a wonderful piece of work that attends to all the details. This is a
19 first step for the County to build a countywide consensus for bicycle use and
20 planning. The Council has to think about making room for bicycles so it is safe.

21
22 Scott Thompson, Bicycle/Pedestrian Advisory Committee Chair, stated
23 providing safe and attractive bikeways provides physical activities for the bicyclist.
24 At the same time, it helps all citizens by keeping air and water clean and reducing
25 roadway congestion. Investing in non-motorized transportation infrastructure can
26 reap significant payoffs. He thanked Hal Hart, Mike Donahue, and Roger DeSpain.
27 He invited the Councilmembers to attend the Pedal with Your Politician event and to
28 participate in Bike to Work day.

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

31
32 ***Fleetwood moved*** approval of the resolution.

33
34 Crawford asked the concept for the off-road trails that are through private
35 lands. Hart stated the concept is connectivity. This is not about taking a private
36 property. These are existing trails that the County would link to.

37
38 Crawford asked about a plan for a trail going northeast from Hannegan Road
39 and Mount Baker Highway toward the river.

40
41 Nelson stated that is the old rail line bed.

42
43 Thompson stated a lot of the corridors are conceptual. They have been
44 shown on Parks Department planning maps for years. He recognizes that there are
45 a lot of challenges with some corridors. This trail may not happen, but it is a 20-
46 year plan of what they would like to see conceptually. The Planning Commission
47 requested that they insert text that clarifies they will not acquire any property by

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1 condemnation. They plan to work with the Whatcom Land Trust and other agencies
2 to provide incentives to landowners.

3
4 Nelson asked who will be responsible for putting these projects into the
5 County's future road plans.

6
7 Joe Rutan, Assistant Director of Public Works, stated they are taking this
8 document into account. They are looking at the priority rating of the roads and
9 other factors. There is a County road project for bikeways and trails in the amount
10 of \$230,000. Staff will look to this document and some of the school zone issues to
11 improve walking and bike trails.

12
13 Nelson asked about a recommended annual funding level. Rutan stated a
14 County Road Project (CRP) each year is to provide \$230,000 for construction of
15 walkways and trails each year. Every time they do a project, they will look at how
16 this fits in with a program.

17
18 Nelson stated make sure that the funding sources are there to fund this kind
19 of program. He asked if staff is confident it can meet program needs with current
20 funding levels. Rutan stated he couldn't say for sure right now. He is looking at
21 this compared with the six-year road program.

22
23 ***Motion carried unanimously.***

24
25
26 **CONSENT AGENDA**

27
28 ***Crawford*** reported for the Finance and Administrative Services Committee
29 and ***moved*** to approve Consent Agenda items one through nine.

30
31 ***Motion carried to approve Consent Agenda items one through nine***
32 ***carried unanimously.***

- 33
34 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
35 **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE**
36 **CITY OF BELLINGHAM FOR EMERGENCY MEDICAL SERVICES AS**
37 **APPROVED BY THE COUNTY COUNCIL ON 4/22/03 WITH**
38 **RECOMMENDED CHANGES BY THE CITY OF BELLINGHAM (AB2003-**
39 **165A)**
40
41 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID#03-**
42 **32 TO THE LOWEST BIDDER, WHATCOM BUILDERS, FOR THE**
43 **ASPHALT CONCRETE OVERLAY AND PRELEVEL AT MISCELLANEOUS**
44 **COUNTY LOCATIONS, IN THE AMOUNT OF \$822,095 (AB2003-182)**
45
46 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID#03-**
47 **30 FOR THE ANNUAL SUPPLY OF ASPHALTIC MIXES FOR COUNTY**

1 **ROAD PROJECTS TO THE APPROPRIATE LOW BIDDER, BASED ON JOB**
2 **LOCATION AND DISTANCE FROM PLANT, AND PRODUCT**
3 **AVAILABILITY, FOR A TOTAL EXPENDITURE OF APPROXIMATELY**
4 **\$400,000 (AB2003-183)**
5

6 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
7 **PROFESSIONAL SERVICES AGREEMENT BETWEEN WHATCOM**
8 **COUNSELING & PSYCHIATRIC CLINIC AND WHATCOM COUNTY**
9 **HEALTH DEPARTMENT, TO ENGAGE HOMELESS PEOPLE WITH CO-**
10 **OCcurring DISORDERS IN MENTAL HEALTH AND SUBSTANCE**
11 **ABUSE TREATMENT, AND TO ASSIST THEM IN OVERCOMING**
12 **BARRIERS FOR HOUSING, IN THE AMOUNT OF \$42,122 (AB2003-**
13 **184)**
14

15 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
16 **CONTRACT BETWEEN WHATCOM COUNTY AND THE DEPARTMENT OF**
17 **ECOLOGY – REHAB THE LAB PROGRAM, TO PROVIDE**
18 **REIMBURSEMENT TO PROPERLY REMOVE HAZARDOUS CHEMICALS**
19 **FROM WHATCOM COUNTY HIGH SCHOOL SCIENCE LABS, IN THE**
20 **AMOUNT OF \$35,550 (AB2003-185)**
21

22 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
23 **CONTRACT BETWEEN WHATCOM COUNTY AND COASTAL GEOLOGIC**
24 **SERVICES, INC. (CGS), TO PROVIDE FOR THE FIFTH (2003) AND**
25 **SIXTH (2004) YEARS OF MONITORING OF THE LIGHTHOUSE PARK**
26 **BEACH RESTORATION PROJECT, IN THE AMOUNT OF \$20,340**
27 **(AB2003-186)**
28

29 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
30 **FARMLAND LEASE BETWEEN WHATCOM COUNTY PARKS AND**
31 **RECREATION AND ARON HOVANDER, TO FARM APPROXIMATELY 80**
32 **ACRES OF LAND AT HOVANDER HOMESTEAD PARK IN FERNDAL, FOR**
33 **A TERM OF THREE YEARS, IN THE AMOUNT OF \$3,000 PER YEAR**
34 **(AB2003-187)**
35

36 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
37 **LAND LICENSE AGREEMENT BETWEEN WHATCOM COUNTY PARKS**
38 **AND RECREATION AND GARY VAN DYK, TO CUT HAY AND SILAGE AT**
39 **DEMING HOMESTEAD EAGLE PARK IN DEMING (AB2003-188)**
40

41 **9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO**
42 **AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT**
43 **BETWEEN WHATCOM COUNTY AND URS CORPORATION, FOR**
44 **ASSISTANCE DURING BIDDING AND CONSTRUCTION PHASES ON THE**
45 **SAAR CREEK SEDIMENT TRAP PROJECT, IN THE AMOUNT OF \$27,982**
46 **FOR A TOTAL AMENDED CONTRACT IN THE AMOUNT OF \$42,556**
47 **(AB2003-189)**

1
2 **10. RESOLUTION ESTABLISHING COUNTY ROAD PROJECT NO. 901002**
3 **AND THE AWARD OF CONTRACT TO THE LOWEST RESPONSIVE**
4 **BIDDER, SOTO AND SONS CONSTRUCTION LLC, FOR THE WEST**
5 **SMITH ROAD IMPROVEMENTS, FERNDALE CITY LIMITS TO**
6 **NORTHWEST DRIVE, IN THE AMOUNT OF \$1,298,846.28 (AB2003-**
7 **190)**

8
9 *Crawford moved* to approve the resolution.

10
11 *Brenner* stated she wanted to hold this in Council for two weeks so the
12 Council can go on a tour of the area. She heard that someone from Whatcom
13 County called the North Bellingham School asking that the school representatives
14 support this item. If that happened, it wasn't appropriate. Also, the principal of
15 the North Bellingham School left her a message that said she wanted to know all
16 sides of this issue. The Council received information today that is incorrect. The
17 annual programs for 2002 and 2003 did not show that the sidewalks were included
18 in this project. Also, the cost to install sidewalks on both sides of the road will cost
19 \$56,000, not \$20,000 to \$25,000.

20
21 *(Clerk's Note: End of tape one, side A.)*

22
23 *Brenner* continued to state that she was told 20 residents attended this
24 meeting. That is not a good barometer for spending \$56,000. Per existing
25 standards, a sidewalk is to be constructed in zones with a density of urban
26 residential, one unit per acre (UR-1) or greater. There is no UR-1 zoning. There is
27 rural residential, one unit per acre (RR1). It isn't that the sidewalks have to be
28 constructed in these areas. It is that sidewalks may be considered for these areas.
29 The road standards, which are being amended, include parts that conflict with the
30 Growth Management Act, including this part. Sidewalks are considered an urban
31 level of service. One argument given was that if they just build good-sized
32 shoulders, they'd have to prevent parking on the shoulders to accommodate
33 pedestrians. When she drove the road earlier today, no one was parked on the
34 shoulders. It's not an issue. She asked the Council to table this item until they can
35 get more information.

36
37 *Roy* stated it sounds as if there are no policies, and that they recommend
38 sidewalks at random. That is a concern. She would support taking another look at
39 this.

40
41 *Nelson* stated he agreed with Councilmember *Roy*. He was under the
42 impression that it was on the six-year road program as a sidewalk project. He
43 questioned whether the program could be changed after it goes out for bid, if they
44 hold off for two weeks. *Rutan* stated they could do some changes. He's concerned
45 about public outreach if there are changes.

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1 Caskey-Schreiber stated she supports tabling so Councilmember Brenner has
2 another opportunity to look at the area. Staff is not out of line contacting the
3 people who live in the area and support this. They all do that. She supports the
4 project because it is important to have safe passageways to school. The area is
5 densely populated. County intersections are busy and dangerous. With the soccer
6 fields there, the County should facilitate some kind of pedestrian flow. She's willing
7 to defer until they can get more information.

8
9 Rutan stated the total cost for sidewalks is \$56,000. The additional cost for
10 the sidewalk from what was originally proposed is \$20,000 to \$25,000.

11
12 **Brenner** stated she is not opposed to safe passage for children. With good-
13 sized shoulders on improved roads, there is safe passage for children. If they left
14 the road with shoulders and no sidewalks, it was argued that they would have to
15 prohibit parking on the shoulder. She heard that there are a lot of cars parked on
16 the shoulder, however she has not seen cars parked on the shoulder.

17
18 **Brenner moved** to hold in Council for two weeks.

19
20 Caskey-Schreiber asked staff to look at the County's policy for sidewalks at
21 these intersections.

22
23 **Motion to hold in Council carried 6-1 with McShane opposed.**

24
25
26 **OTHER ITEMS**

27
28 **1. PRESENTATION BY BRITISH PETROLEUM CONCERNING**
29 **COGENERATION FACILITY (AB2003-178)**

30
31 Roy reported for the Natural Resources Committee and stated she will not go
32 into any detail that would compromise McShane's position on the Energy Facility
33 Site Evaluation Council (EFSEC). She will invite the representatives back for more
34 discussion.

35
36 **2. ORDINANCE AUTHORIZING THE ISSUANCE OF LIMITED TAX**
37 **GENERAL OBLIGATION REFUNDING BONDS (AB2003-156)**

38
39 **Crawford** reported for the Finance and Administrative Services Committee
40 and **moved** to recommend approval of the ordinance. It will cost the County
41 around \$40,000, and save the County approximately \$430,000.

42
43 Barbara Cory, Treasurer, gave a staff report and stated this will save the
44 County about \$460,000. They are refinancing debt. She thanked her staff and the
45 administration for their efforts.

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1 John Rose, Seattle Northwest Securities President, submitted handouts (*on*
2 *file*). The County applied for bond rating, which was determined as A1. The bonds
3 were put into the marketplace. When the economy declines, people turn to bonds.
4 The rates are extraordinary. They are replacing old bonds at 5.68 percent with new
5 bonds at a true cost of 2.96 percent. They are not extending the life of the debt.
6 The total savings over the life of the issue is \$635,000. In today's dollars, it is
7 \$460,000, which is 12 percent of the refunded bonds. These savings are
8 extraordinary.

9
10 Moody's confirmed the County's rating. The rating report states that the
11 rating reflects a diverse, stable economy, sound financial management, and low
12 debt levels. They expect the County's financial operations to remain sound, given
13 the diverse revenue stream and demonstrated ability to maintain reserves at
14 targeted levels.

15
16 Nelson stated the \$700,000 is what is left over from the original \$4.2 million.
17 It will be transferred to lower the debt. It is also money that could be available for
18 capital facility improvements.

19
20 Dewey Desler, Deputy Administrator, stated they do not anticipate investing
21 more money into the existing building until they finish other capital facilities
22 planning. They are coming up against a time limit by which the County must spend
23 the money or return the money. The administration decided there were adequate
24 funds in the existing reserves and in other reserves if the Council moves ahead with
25 any other capital facilities uses. This way, there is less debt and lower interest
26 rates.

27
28 ***Motion to adopt the ordinance carried unanimously.***

29
30 **3. RESOLUTION TO RENAME HAXTON WAY ROAD TO LUMMI VIEW**
31 **DRIVE BEGINNING AT MACKENZIE ROAD (AB2003-191)**

32
33 **Brenner** reported for the Public Works and Capital Projects Committee and
34 **moved** to approve the resolution. This went a lot smoother than it could have.
35 People seem very supportive.

36
37 ***Motion carried unanimously.***

38
39 **4. ORDINANCE TO AMEND THE OFFICIAL WHATCOM COUNTY ZONING**
40 **ORDINANCE, TITLE 20, BY CLARIFYING EXISTING CODE LANGUAGE,**
41 **ELIMINATING CONFLICT AND DUPLICATION IN THE CODE**
42 **LANGUAGE (AB2003-173)**

43
44 Fleetwood reported for the Planning and Development Committee and stated
45 the committee reviewed and approved the **Ordinance amending the official**
46 **Whatcom County Zoning Ordinance, Title 20, Chapter 20.71 – Water**
47 **Resource Protection Overlay District, Chapter 20.80 – Supplementary**

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1 **Requirements (Stormwater and Clearing), Chapter 20.85 – Planned Unit**
2 **Developments, and Chapter 20.97 – Definitions, to provide additional**
3 **regulatory protection for sensitive watersheds (AB2002-222B) (amended**
4 **version).** It will be introduced at the next meeting and a public hearing must be
5 scheduled after that.

6
7 *Fleetwood moved* to adopt the ordinance.

8
9 *Motion carried unanimously.*

10
11 **5. ORDINANCE AMENDING ORDINANCE 2003-005, CHANGING THE**
12 **DATE FOR SUBMITTING TO THE VOTERS OF WHATCOM COUNTY A**
13 **PROPOSITION IMPOSING THE LEVY OF AN ANNUAL PROPERTY TAX**
14 **FOR SIX YEARS TO FUND FIRE SERVICE PRE-HOSPITAL EMERGENCY**
15 **MEDICAL SERVICES (AB2003-027B)**

16
17 *Nelson moved* to adopt the ordinance.

18
19 Roy stated the consensus is that they are giving the levy a better chance of
20 being approved if it is held during the general election. That's why she's voting for
21 the November date.

22
23 Brenner stated there was a concern about fire districts 16 and 18. If the
24 levy did not pass during the general election, those fire districts would be out of
25 luck for a year. However, she found out that they could hold their election in the
26 primary election for a small amount of money. If this passes, the money would still
27 be allocated to them. The fire districts should do that.

28
29 General elections are when they get the most people out to vote. It's always
30 better to have important items on a general election ballot.

31
32 *McShane moved* to amend the ordinance to correct a scrivener's error on
33 Exhibit A, "...at the said ~~special~~ County election" and any other reference to a
34 "special" election.

35
36 Crawford stated they knew all along that it would require a 60 percent
37 affirmative vote for the levy to pass. Today, they also found out that the number
38 of people who vote on this issue needs to be at least 40 percent of the people who
39 voted in the last general election. Even year elections turn out 80,000 to 90,000
40 people. Odd year elections turn out about 36,000 people.

41
42 Pete Kremen, County Executive, stated that even year elections turn out
43 about 65,000 people. Generally speaking, there is a 68 to 74 percent turn out for a
44 general election, and there is a 35 to 44 percent turn out in a non-general election.
45 The even years have about 20 percent more voter turn out.

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1 Crawford stated they would need about 28,000 people to vote. He asked if
2 28,000 people would turn out for the primary this year. He doesn't think they get
3 that many people voting during a primary election. Kremen stated it is hard to
4 predict what the voter turn out would be. There are many generalities they could
5 use. During a low voter turn out, more people go out to support the issue if the
6 campaign is done successfully. The rationale for having the election in November is
7 to get a greater number of the community to have an opportunity to voice their
8 positions on the issue. Also, they save the taxpayers about \$35,000. The rationale
9 for having the election in September is that the City of Bellingham would have an
10 opportunity to go before the voters in November if the levy failed in September.

11
12 ***Motion to amend carried unanimously.***

13
14 ***Motion to adopt the ordinance as amended carried unanimously.***

15
16 **6. APPOINTMENT TO THE DRAYTON HARBOR SHELLFISH PROTECTION**
17 **DISTRICT ADVISORY COMMITTEE, APPLICANT: KATHRYN CULLEN**
18 **(AB2003-177)**

19
20 ***McShane moved*** to appoint Kathryn Cullen.

21
22 ***Motion carried unanimously.***

23
24 **7. REQUEST CONFIRMATION OF THE EXECUTIVE'S RE-APPOINTMENT OF**
25 **BILL BLISS TO THE BOUNDARY REVIEW BOARD (AB2003-192)**

26
27 ***Brenner moved*** to confirm the appointment.

28
29 ***Motion carried unanimously.***

30
31 **8. REQUEST CONFIRMATION OF THE EXECUTIVE'S APPOINTMENT OF**
32 **LARRY STEELE TO THE DEVELOPMENT STANDARDS TECHNICAL**
33 **ADVISORY COMMITTEE (TAC) (AB2003-193)**

34
35 ***Nelson moved*** to confirm the appointment.

36
37 ***Motion carried unanimously.***

38
39
40 **LETTERS SENT BY COUNCIL**

41
42 **1. LETTER TO THE WASHINGTON STATE DIVISION OF GEOLOGY AND**
43 **EARTH RESOURCES REGARDING MAPPING OF MINERAL RESOURCE**
44 **PROTECTION AREAS IN WHATCOM COUNTY (COUNCIL VOTED**
45 **UNANIMOUSLY TO SEND THE LETTER AT ITS APRIL 22, 2003,**
46 **MEETING)**

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1
2 **INTRODUCTION ITEMS**
3

4 *Nelson moved* to accept the Introduction Items, with the two addenda and
5 the substitute ordinance for Introduction Item one.
6

7 *Motion carried unanimously.*
8

- 9 **1. ORDINANCE IMPOSING AN INTERIM ZONING MAP FOR THE LAKE**
10 **WHATCOM WATERSHED (AB2003-181A)**
11
12 **2. ORDINANCE (INTERIM) AMENDING THE OFFICIAL WHATCOM**
13 **COUNTY ZONING ORDINANCE, TITLE 20, CHAPTER 20.71 – WATER**
14 **RESOURCE PROTECTION OVERLAY DISTRICT, CHAPTER 20.80 –**
15 **SUPPLEMENTARY REQUIREMENTS (STORMWATER AND CLEARING),**
16 **CHAPTER 20.85 – PLANNED UNIT DEVELOPMENTS, AND CHAPTER**
17 **20.97 – DEFINITIONS, TO PROVIDE ADDITIONAL REGULATORY**
18 **PROTECTION FOR SENSITIVE WATERSHEDS (AB2003-181)**
19
20 **3. ORDINANCE AMENDING THE 2003 WHATCOM COUNTY BUDGET,**
21 **FIFTH REQUEST (AB2003-194)**
22
23 **4. ORDINANCE AMENDING WCC 2.54.010 TO REFLECT THE CURRENT**
24 **OFFICE HOURS OF THE LICENSING DEPARTMENT IN THE AUDITOR’S**
25 **OFFICE (AB2003-195)**
26

27 **ADDENDUM:**
28

- 29 **5. ORDINANCE TEMPORARILY AMENDING THE EXEMPTION**
30 **PROVISIONS OF TITLE 21, LAND DIVISION REGULATIONS (AB2003-**
31 **175)**
32
33 **6. ORDINANCE ISSUING A MORATORIUM ON APPLICATIONS FOR**
34 **CONDITIONAL AND/OR LAND USE PERMITS FOR ELECTRICAL POWER**
35 **TRANSMISSION LINES OF 115,000 VOLTS OR LESS, DESIGNED TO**
36 **CARRY 100 MEGAWATTS OR GREATER LOADS, EXCEPT IN THOSE**
37 **DISTRICTS CLASSIFIED AS INDUSTRIAL (AB2003-196)**
38
39

40 **OTHER BUSINESS**
41

42 Roy stated there is a **draft letter regarding the Nutrient Management**
43 **Program** to the State representatives, who have worked to keep the program in
44 the State budget. This letter urges the representatives to stay the course. The
45 program has shown measurable results, especially for Portage Bay. There is
46 encouragement to get something for the livestock management program included

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1 in the House budget proposal. Representative Jeff Morris was not one of the people
2 who moved this project through.

3
4 Pete Kremen, County Executive, stated they might want to include
5 Representative Morris in some way. Leave the letter as it is, and modify the letter
6 they send to Representative Morris to leave out the thanks.

7
8 Roy agreed.

9
10 Caskey-Schreiber stated she also lobbied for this program. State Senator
11 Honeyford was key in getting this into the Senate budget. She would like to send
12 him this thank you letter as well.

13
14 Roy stated she could do that if the Council wishes.

15
16 Crawford stated this is a letter of thanks.

17
18 Roy stated it is. It is also to urge them to not let this drop. She will send a
19 separate letter to Representative Morris.

20
21 **McShane** stated there is support from the Council to send the letters. He so
22 **moved.**

23
24 **Motion carried unanimously.**

25
26
27 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**

28
29 Crawford stated there is the bike event on Saturday. At the same time is the
30 meeting for Canyon Creek. It would be nice to have councilmembers at all three
31 big events on Thursday night. There is the Planning Commission hearing on urban
32 growth areas. The Public Facilities District presentation will be made to the City
33 Council. The forum on the water resources inventory area (WRIA) is also going on
34 at the same time.

35
36 Caskey-Schreiber stated the request for proposals (RFP) went out for animal
37 control services. The County got one proposal back. Mr. Desler is negotiating with
38 them to get a contract together. She asked the administration to run it by the
39 Animal Control Advisory Committee to see if the Council should support it or not.

40
41 Crawford asked how they would not support it if it was the only proposal.

42
43 Nelson asked if the other option is to have no animal control services.

44
45 Caskey-Schreiber stated she is just bringing the public into the process.
46

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1 Fleetwood stated he went on a drive through Silver Lake, Columbia Valley,
2 and South Pass Road. It is one of the most beautiful drives in the county.
3

4 Brenner stated she attended the Shucking on the Spit event in Blaine. It was
5 very informative and entertaining. On Friday, the Lummi Nation dedicated the
6 ground for their new Kindergarten through 12th grade school. It is going to be an
7 amazing school. The Ferndale Diversity Coalition and Lummi Nation put together a
8 May Day potluck. There were twice as many people attending as last year. These
9 kinds of positive events are going on in the county to bring people together.

10
11 Nelson stated he will be attending reserve training for two weeks. He will not
12 be at the next Council meeting.
13

14 Roy stated she attended the Resources meeting on toxic waste in the Puget
15 Sound, and how it has managed to work its way through the food web. It is pretty
16 depressing. Whatcom County does contribute more than its share to the toxic
17 waste that goes into Puget Sound. They need to talk about that at some point.
18

19
20 **ADJOURN**

21
22 The meeting adjourned at 9:41 p.m.
23
24

25
26 _____
27 Jill Nixon, Minutes Transcription

28 These minutes were approved by Council on May 20, 2003.
29

30 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

31
32
33
34
35
36 _____
37 Dana Brown-Davis, Council Clerk

38 _____
Dan McShane, Council Chair